

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA,)	CASE NO: 2:17-CR-00245-3
)	
Plaintiff,)	CRIMINAL
)	
vs.)	Corpus Christi, Texas
)	
SILVIA BEATRIZ PEREZ-CEBALLOS,)	Tuesday, October 10, 2017
)	
Defendant.)	(8:26 a.m. to 11:59 a.m.)
		MORNING SESSION

JURY TRIAL - DAY 6
VOLUME I OF II, PAGES 1 THROUGH 121

BEFORE THE HONORABLE NELVA GONZALES RAMOS,
UNITED STATES DISTRICT JUDGE

APPEARANCES: SEE PAGE 2

Court Recorder: Genay Rogan

Interpreters: Judy Hawks / Maria Enriqueta Foraker
Lorena Parada-Valdes

Clerk: Brandy Cortez

Court Security Officer: Adrian Perez

Deputy U.S. Marshal: Eric Propst

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JOSE LATOUR	5/63			

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1 **Corpus Christi, Texas; Tuesday, October 10, 2017; 8:26 a.m.**

2 **(Interpreter Utilized for Translation)**

3 **(Call to Order)**

4 **(Outside the presence of the jury)**

5 **THE COURT:** The Court calls Cause Number 2:17CR245-3,
6 *United States of America versus Silvia Beatriz Perez-Ceballos.*

7 **MS. HAMPTON:** Good morning, your Honor. Julie
8 Hampton and Jon Muschenheim on behalf of the Government.

9 **THE COURT:** Good morning.

10 **MR. MUSCHENHEIM:** Good morning, your Honor.

11 **THE COURT:** Good morning. Mr. Reynal?

12 **MR. SPEAKER:** He just stepped -- there he is.

13 **MR. REYNAL:** Good morning, your Honor.

14 **THE COURT:** Okay, good morning. Anything to address
15 this morning?

16 **MR. MUSCHENHEIM:** No, your Honor.

17 **MS. HAMPTON:** No, your Honor.

18 **MR. REYNAL:** No, your Honor.

19 **THE COURT:** So we had the witness and Mr. Latour was
20 on the stand. So we'll continue with him. He's here this
21 morning?

22 **MS. HAMPTON:** Yes, your Honor.

23 **THE COURT:** He can be brought in the courtroom.

24 **MS. HAMPTON:** He's getting him, your Honor.

25 **(Pause / Voices heard off the record)**

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5

1 **THE COURT:** You can wait one second.

2 **(Court confers with the Marshal / Pause)**

3 **THE MARSHAL:** They're ready.

4 **THE COURT:** Okay. Are you ready, counsel? I'll
5 bring the jury in and then the witness can approach.

6 **(Pause)**

7 **THE MARSHAL:** All rise for the jury.

8 **(Jurors enter courtroom at 8:29 a.m.)**

9 **THE COURT:** Good morning.

10 **(Jurors greet the Court)**

11 You can have a seat. We will continue with the trial
12 and continue with the witness that was on the stand.

13 Mr. Latour, if you'll approach the witness stand. Good
14 morning.

15 **THE WITNESS:** Good morning, your Honor.

16 **THE COURT:** You can have a seat. We'll continue the
17 testimony. You're under the same oath.

18 **MS. HAMPTON:** May I proceed, your Honor?

19 **THE COURT:** Yes.

20 **JOSE LATOUR, GOVERNMENT'S WITNESS, PREVIOUSLY SWORN**

21 **DIRECT EXAMINATION (CONTINUED)**

22 **BY MS. HAMPTON:**

23 Q Mr. Latour, when we broke last week we were discussing
24 some of the documents that you turned over to the Government as
25 part of your cooperation; is that correct?

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6

1 A Yes, ma'am.

2 Q Can we go back and talk about where the money came into
3 the United States according to what you know. What was the
4 company that brought the money to the U.S.?

5 A The funds that I received from the beginning when I began
6 helping Fernando Saiz with the businesses all was wired, I
7 believe bank transferred from Jofesa, a Mexican company.

8 Q So Jofesa is in Mexico, correct?

9 A Yes, ma'am.

10 Q And you said that this is the company that wired money
11 into the U.S.; is that correct?

12 A Yes. The wires showed from that origin to my accounts.

13 Q Where did Jofesa wire money to in the U.S.?

14 A I believe in the beginning to my trust account then
15 subsequently to the accounts I established for the group of
16 companies.

17 Q Which company?

18 A Titan and Phantom International Investments and Phantom
19 International Technology.

20 Q So Jofesa would wire money to the Titan account?

21 A Initially to my trust account, subsequently there.

22 Q Okay. To your attorney trust account?

23 A Correct.

24 Q And then to Titan?

25 A I would -- once the accounts were established, then it

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1 would go straight to Titan. But originally it came to my trust
2 account before the entities had accounts.

3 Q And from Titan where did the money go?

4 A The money would typically be transferred from Titan as a
5 parent company to either Phantom International Investments or
6 to Phantom International Technology, depending on the purpose
7 of the money. If it was a technology investment, it would go
8 to the technology one; and if it was something other, it would
9 go into Phantom International Investments.

10 Q PII or PIT, right?

11 A Correct.

12 Q Okay. Any other source of money from Mexico coming into
13 the U.S. into your accounts?

14 A From Mexico, no.

15 Q What about after Mr. Saiz-Pineda was arrested? What was
16 another source of money that you received funds in the U.S.
17 from?

18 A After Mr. Saiz was arrested and the criminal defense
19 attorney representing him ordered the sale of a number of
20 vehicles under the Minelo company, I requested authorization
21 from the owner of record of Minelo. I received it authorizing
22 the sale and the liquidation of vehicles to provide funds for
23 the various things. And I provided such instructions to
24 Mr. Fernando Latorre so he could do so.

25 Q What about other companies outside the U.S.? What other

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1 companies did you receive money from outside the U.S. after
2 Mr. Saiz-Pineda was arrested?

3 A I do not recall the specific date of when I received the
4 money, whether it was before or after. But in reviewing my
5 records there was a wire inbound to one of the accounts from a
6 Sewick, I believe. I believe it was a Singapore entity.

7 Q Who did that money belong to?

8 A To Mr. Saiz.

9 Q What accounts did Sewick send money to?

10 A I remember receiving one transfer and noting the entity,
11 because I was unfamiliar with the entity. Subsequently, in the
12 future before his arrest but during the time at which
13 Mr. Marichal was trying to conclude the purchase of the Porsche
14 building, Mr. Marichal sent me copies of the contracts because
15 there was an issue regarding a wire sent from Mexico as part of
16 the payment. And in reconstructing that he sent me a file, and
17 that file included a number of transfers from that same Sewick
18 entity to the trust account of, I believe, it's Einstein and
19 Lair (phonetic), who were the lawyers for Desert Development,
20 the builders of the Porsche building.

21 Q You testified about your early meetings with Mr. Jose
22 Manuel Saiz-Pineda and Fernando Saiz-Pineda.

23 A Yeah.

24 //

25 //

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1 Q And at any of those meetings did you request documentation
2 regarding Jofesa?

3 A Yes. I requested it at the initial meeting and then
4 subsequently when I was back in Tabasco several months after
5 the initial meeting.

6 Q What documentation did you request?

7 A I would have requested for the purposes anticipated for
8 the visa. I would have requested historical financial
9 records --

10 **MR. REYNAL:** Your Honor, I think the witness just
11 testified that this was for visa purposes, and I think your
12 Honor previously ruled that we weren't going to get into
13 immigration matters.

14 **MS. HAMPTON:** Your Honor, he's not discussing
15 anything that was told to him. He's talking about
16 documentation he requested regarding Jofesa, which is central
17 to this conspiracy.

18 **THE COURT:** Okay. We need to stick to the question
19 that's asked and not get into the other matters. Sustained to
20 that extent.

21 **BY MS. HAMPTON:**

22 Q Did you ever receive the documentation you requested
23 regarding Jofesa?

24 A No.

25 Q Why did you --

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10

1 **MS. HAMPTON:** Well, strike that, your Honor, strike
2 that.

3 Q I'd like to continue with Exhibit 115, Mr. Latour.

4 A Yes, ma'am.

5 Q Which is where we ended on Friday. These are the
6 documents you turned over to the Government, correct?

7 A Yes, ma'am.

8 Q Okay. Let's go to the Minelo Car Conversions folder under
9 Exhibit 115. What is this? You kept -- go back to Page 1,
10 please. You kept a folder and you labeled it Minelo Car
11 Conversions?

12 A Yes.

13 Q What is this folder?

14 A There were a number of vehicles under the care of
15 Mr. Latorre that had been placed under his care by Jose Saiz.
16 Some of them were from Minelo, which was one of the entities in
17 the JEC Trust which I was administering. And the others were
18 from a company in Mexico called Premium de Collection
19 (phonetic). The ones within Minelo were all U.S. specification
20 automobiles, meaning that they had been purchased in the U.S.
21 and they could be driven and operated in the U.S. The others
22 had all been entered from Mexico at different -- I'm not sure
23 if different or the same points of time. And I was requested
24 by Mr. Manuel Rodriguez to identify which of those cars --

25 **MR. REYNAL:** Your Honor, I'm going to --

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1 **THE COURT:** Hold on, sir.

2 **THE WITNESS:** Yes, ma'am.

3 **THE COURT:** When he stands, there's an objection.

4 **THE WITNESS:** I'm sorry. I'm sorry.

5 **MR. REYNAL:** I'm going to object to this witness
6 testifying to what other witnesses said to him.

7 **THE COURT:** Sustained.

8 **MS. HAMPTON:** Your Honor, this is not offered for the
9 truth of the matter asserted. It is offered to show why
10 Mr. Latour took the actions that he did.

11 **THE COURT:** Sustained.

12 **MR. REYNAL:** Thank you, your Honor.

13 **BY MS. HAMPTON:**

14 Q Let's go to Page 2. What is this document?

15 A This is a document that explains what needs to be done for
16 certain vehicles which are not U.S. specification but they
17 needed certain modifications to comply with DOT and EPA rules.
18 And I had been asked by the lawyer in Mexico, Manuel Rodriguez,
19 to find out --

20 **THE COURT:** Hold on.

21 **THE WITNESS:** -- how to convert these vehicles.

22 **THE COURT:** I'm excluding anything someone else may
23 have told you, so do not --

24 **THE WITNESS:** Oh, oh, oh, yes.

25 **THE COURT:** -- testify as to what --

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1 **THE WITNESS:** Yes, your Honor.

2 **THE COURT:** -- Mr. Rodriguez may have told you.

3 **THE WITNESS:** Yes, your Honor.

4 **BY MS. HAMPTON:**

5 Q Is this document and Page 2 relating to a particular
6 vehicle?

7 A Can you scroll down, please, to the next page? I don't
8 believe so. I believe this is a general form used to -- it's
9 called federalizing a foreign car in the U.S.

10 Q Was this relating to multiple vehicles?

11 A I'm sorry?

12 Q Was this document relating to multiple vehicles?

13 A This document was what I was procured when I was trying to
14 find out how to do the process. So it would have been multiple
15 vehicles had I been able to do it.

16 Q Okay. Can we go down, please. Page 4 of this exhibit is
17 your file folder labeled Minelo Fleet Insurance?

18 A Yes, ma'am.

19 Q What is this regarding?

20 A This is the fleet insurance policy that had been secured
21 previously for the vehicles belonging to Minelo and in storage
22 with Mr. Latorre.

23 Q Can we go down, please. Page 5, can we turn it, please.
24 What is this?

25 A I believe it is a vehicle tag renewal for a vehicle

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1 belonging to Minelo.

2 Q And there's a handwritten note on there. What is that
3 regarding?

4 A That would be the license plate number of that specific
5 vehicle.

6 Q It says paid by check April 18th, 2013?

7 A Yes.

8 Q Who paid that by check?

9 A I believe me.

10 Q Can we go down, please.

11 A Yes.

12 Q Page 7.

13 A These were paid by me.

14 Q Page 7 is another renewal paid by you?

15 A Correct.

16 Q Same day?

17 A (No audible response)

18 Q Okay, let's keep going, please. Page 9.

19 A Correct. Paid by me, renewal of tag.

20 Q Page 11, what is this?

21 A It is coverage -- can you scroll down, please, so I could
22 see below it? That must be the group total policy paid that I
23 paid for the Minelo vehicles under storage.

24 Q The 12-month fee right there is what you paid, 45,000?

25 A Yes.

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1 Q That was Page 11, for the record. Can you go down,
2 please.

3 Page 12, who are listed as the rated drivers?

4 A Who is listed as the rated drivers?

5 Q Yes, sir.

6 A Jose Saiz, Silvia Perez and Fernando Latorre.

7 Q And these are for the Minelo vehicles?

8 A Yes.

9 Q And those were the vehicles that were U.S. tags; is that
10 correct? They had U.S. tags.

11 A They were U.S., correct.

12 Q Go down, please. Page 12 has the auto coverage schedule.
13 Is that regarding the different vehicles that are covered?

14 A Yes, ma'am.

15 Q Can you tell us the different vehicles? Number one?

16 A The first one is a 2009 Ferrari Scuderia 430.

17 The second one is a Mercedes Benz SLR 2009.

18 The third one is a 2010 Lamborghini Murcielago.

19 The fourth one is a 2005 Porsche Boxster S.

20 The fifth one is a 2003 Ferrari Enzo.

21 The sixth one is a 2011 Lamborghini Gallardo.

22 The seventh is a 2012 Audi R8.

23 The eighth is a 2010 Bentley Continental -- I believe
24 that's SUP, stands for Supersport.

25 Number nine is a 2013 Bentley Continental.

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1 Number ten is a 2012 Bugatti Veyron Grand Sport.

2 Number eleven is a 2013 Ferrari FF.

3 Number twelve is a 2013 Rolls Royce Ghost.

4 And that is the, I believe, volume discount because
5 of the air bags and other safety features.

6 Q Page 16, this is the policy for November of 2012; is that
7 correct?

8 A Yes.

9 Q Same rated drivers?

10 A Yes, same drivers.

11 Q Same vehicles?

12 A Please scroll and I'll confirm. Hold on one second. Hold
13 on one second. Yes, yes. So far, yes. Yes, I'm not sure if
14 it's the same number of vehicles but it looks like the same
15 vehicles.

16 Q And that's Page 20, for the record. And keep going,
17 please.

18 Page 21, what is this?

19 A This was the list of the vehicles that did not belong to
20 Minelo but belonged to Premium de Collection, which I was asked
21 by Mr. Rodriguez to find out how to make them U.S. spec. And
22 the third column enumerates which were already qualified as
23 U.S. vehicles and didn't need anything done. And then the ones
24 that say "not U.S." represent the ones that needed to have some
25 process to be federalized to be driven legally in the United

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1 States.

2 Q Number nine on your list here -- did you create this list?

3 A My assistant typed it up from my handwritten list.

4 Q And you kept it in your file?

5 A Yes.

6 Q Number nine, what kind of vehicle is that?

7 A I believe it is a Swedish exotic -- it's an exotic super
8 car. I believe it's made in Sweden and it's a rare carbon
9 fiber vehicle.

10 Q Where were these cars housed?

11 A Where are they?

12 Q Where were they housed?

13 A They were held at the warehouse of MB Tech of Mr. Latorre.

14 Q Thank you.

15 **MS. HAMPTON:** Can you get more, please?

16 Q Page 22, what is this?

17 A That is my note, apparently to the file, noting that I
18 needed to get copies of the supplemental documents for those
19 vehicles from Mr. Latorre. And I don't understand why this
20 would have been written in Spanish, but it's a listing with my
21 name underneath indicating that I received the titles
22 corresponding to those vehicles on December 28th, 2012.

23 Q A few more, please. Page 23, the insurance policy.

24 Q Again, is that correct?

25 A Yes, yes.

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1 Q And I don't see the date on this.

2 **MS. HAMPTON:** Can you go back, please?

3 A 2011.

4 Q Okay.

5 A Expiring January -- from January 2011 to January 2012's
6 coverage. And this one is apparently specifically for the
7 Ferrari Enzo.

8 Q Okay, let's get out of this file, please. Let's go to
9 Minelo Personal Box under Exhibit 115. You kept the folder --

10 A Yes.

11 Q -- labeled Minelo Personal Box. What is this folder?

12 A I believe this folder contained the driver's license
13 information of the drivers and perhaps owner information
14 regarding the owner of the company.

15 **MS. HAMPTON:** Go down, please.

16 Q Page 2, who is this?

17 A Can you please make it larger? Yeah. That is the
18 national identification card of Angel Gonzalez-Monterrubio, who
19 was listed as the owner of Minelo in all the records.

20 Q Page 3, his passport?

21 A That is -- I'm sorry. Yes, that's his passport.

22 Q Page 4, what is this?

23 A This is an operating agreement. There was no operating
24 agreement that had been created for Minelo by Mr. Cantour
25 (phonetic). We were unable to find an operating agreement.

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1 And the trust attorneys from New Zealand asked me for an
2 operating agreement. I confirmed the ownership with
3 Mr. Rodriguez, and I prepared the operating agreement for this
4 entity based upon the information Mr. Rodriguez provided to me.

5 Q So what types of things does this Minelo acquisitions
6 operating agreement contain?

7 (Pause)

8 Page 5, there's a business purpose. What does that
9 mean, the "business purpose"?

10 A The business purpose -- the business purpose makes no
11 sense here. Normally the business purpose it says to transact
12 any legal business. I recall seeing this language somewhere,
13 but I believe this is my error as an attorney in that I
14 probably used a model document and somehow missed on the
15 business purpose. But that clearly does not apply.

16 Q What does Minelo have to do with local visionaries from
17 diverse ethic and social backgrounds to define capitalize and
18 proactively promote business and initiatives, et cetera? What
19 does that have to with Minelo?

20 A Absolutely nothing.

21 Q And then the principal place of business, what address is
22 that?

23 A That was my office address at the time.

24 Q Can you go down, please. The paragraph labeled 2.1 on
25 Page 5, initial contributions, what is that regarding?

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1 A Within a limited liability company there's -- it's
2 different than a corporation. Essentially it's a token-stated
3 capital that just said we're each putting in \$100 or whatever.
4 It's a fictional amount that's put in to determine a stated
5 value of a limited liability company.

6 Q Go down, please. Management -- on Page 6, management of
7 the business, what is that regarding?

8 A That is in terms of who is listed -- who appears as the
9 manager of the entity for legal purposes within the state of
10 registration of the entity, who actually administers the
11 company's business. This is a standard Florida form, and I
12 believe when I was asked to do this I missed that part about
13 the purpose of the business and used a template.

14 Q You needed this for the folks in New Zealand.

15 A I believe I needed it for the -- I'm sorry, I needed it
16 because it was requested from the trust as a missing document.
17 But it was also something that should have been in the record
18 books. And I'm not sure if it was not prepared or if I simply
19 never had a copy. And I was unable to locate a copy so I did
20 this.

21 Q Page 10, whose signature is that?

22 A That is the signature of Mr. Angel Gonzalez.

23 Q And it's dated May 7th, 2012, correct?

24 A Correct.

25 Q Next page. Who is listed as the manager for Minelo?

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1 A That is me.

2 Q Same date, correct?

3 A Yes.

4 Q And Mr. Gonzalez signed again?

5 A Yes.

6 Q Next page, please. And then Mr. Gonzalez is listed as a
7 member, correct?

8 A Correct.

9 Q Is that your signature at the bottom?

10 A Yes, it is.

11 Q Next page, please. Page 13, what is capital
12 contributions? What is this regarding?

13 A That is what I mentioned earlier. It's just a stated
14 amount that -- it's a token amount by which someone acquires an
15 interest in a limited liability company. And what this
16 effectively reflects is that there was one stated -- instead of
17 called a shareholder in a limited liability company, it's
18 called a member. And pursuant to the instructions I was given,
19 he owned 100 percent of it, and that was the amount of the
20 stated capital.

21 Q Next page, please. Page 14, what is this?

22 A This is a letter from the Tabasco Public Safety secretary
23 confirming that Mr. Jose Manuel Saiz-Pineda did not have any
24 record of accidents in the last ten years.

25 Q Why did you keep this document in the Minelo personal

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1 docs' folder?

2 A This document was requested by the insurance company in
3 order to establish that a non U.S. person could be insured.
4 They wanted a record of the driving history of Mr. Saiz-Pineda,
5 and it was provided by Mr. Manual Rodriguez to me.

6 Q And this was in December of 2011; is that correct?

7 A Yes, ma'am.

8 Q And that was Page 14, for the record.

9 Page 15, what is this?

10 (Pause)

11 A Bear with me one second, please. Oh, this is -- it's a
12 letter from the Mexican insurance company confirming that --
13 it's sort of a letter of reference from the -- from G and P,
14 which is a Mexican insurance company, indicating that they had
15 been providing insurance services to Mr. Saiz-Pineda since
16 2004.

17 Q And you needed this for the U.S. insurance company?

18 A I do not believe I needed it. I believe it was included
19 with the documents that were sent to me when I requested his
20 driving record.

21 Q Go to the next folder, please. Mexican Car Fleet folder
22 under Exhibit 115. What is this folder regarding?

23 A It is -- it may overlap with the other one that indicated
24 the vehicle conversion to U.S. specs. But it is the list of
25 all of the vehicles that belonged to Premium de Collection and

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1 not to Minelo.

2 Q Go down, please. Page 2, is this the same document we saw
3 earlier?

4 A Yes, ma'am.

5 Q Page 3, let's get it standing correctly. What is this
6 document?

7 A Those are my hand notes when I was at Mr. Latorre's shop,
8 MB Tech, where we spent one or two days going over the vehicles
9 trying to determine which ones had vehicle identification
10 numbers indicating they were U.S. qualifying or they were not.

11 Q Next page, please. Page 4, what is this?

12 A The document was created by Mr. Latorre and it was the
13 reconciliation of the documents available for each of the
14 various vehicles that belonged to Premium de Collection, the
15 non U.S. entity, the foreign company. The right column
16 indicates what is in the file of each vehicle, whether it's an
17 invoice, the drivers, the circulation card, the tag, proof of
18 tax payment, insurance policy, et cetera.

19 Q And it ends on Page 5; is that correct?

20 A Yes.

21 Q Okay.

22 **MS. HAMPTON:** Next page, please.

23 Q Page 6, is this the same document?

24 A Yes.

25 **MS. HAMPTON:** Move down, please.

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23

1 Q Page 8, what is this?

2 A This is an -- hold on one second here. Can you please
3 scroll down? I'll -- yeah. It appears to be an invoice for
4 the purchase of a used Lamborghini Gallardo 2006 and it
5 indicates the letterhead of Jofesa and the client as Premium de
6 Collection. I do not --

7 Q I thought we --

8 A -- I do not recall this document but I -- it's --

9 Q I thought you said that Jofesa is an accounting firm; is
10 that true?

11 A Accounting/consulting.

12 Q And this is a document that purports to be on Jofesa's
13 letterhead; is that correct?

14 A Yes, ma'am.

15 Q And the client, according to this document, is who?

16 A The client is Premium de Collection.

17 Q What person is behind Premium de Collection?

18 A I believe -- I'm sorry. Jose Saiz.

19 Q And what person is behind Jofesa?

20 A It is owned by Jose Saiz and Fernando Saiz.

21 Q So Mr. Saiz is sending a bill to himself? Is that what
22 this document shows?

23 A That is what the document looks like but I'm unaware of
24 the purpose of the document.

25 Q What's the address, according to this document, of Jofesa?

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1 A Uh --

2 **MS. HAMPTON:** Can you zoom in, please?3 A Sanchez Magallanes, Number 113, 1st Floor and then it says
4 between several streets by Ysidro and Res Jalapeno (phonetic),
5 Central Colony in Villahermosa, Mexico.6 Q Is this -- what does this document claim is being sold to
7 Premium de Collection?

8 A A Lamborghini -- can you please scroll down --

9 Q Yes.

10 A -- and -- all the way down. Let's see what's underneath
11 there. I'm unaware of what that official stamp means if it's a
12 corporate stamp because it says, "Josefa" but it suggests that
13 it is an invoice --

14 Q Is this --

15 A -- or a sales statement -- an invoice or a sales form.

16 Q Is this car --

17 **MS. HAMPTON:** Can you go up a little bit, please?18 A Is it a Lamborghini? Is this one of the Lamborghinis that
19 was in the warehouse at MB Tech in Miami? Do you know?

20 A I'm uncertain but Lamborghini Gallardo -- yes, 2006.

21 Q Where did you obtain this document on Page 8 of Exhibit
22 150, Folder Mexican Car Fleet?

23 A I do not recall.

24 Q Why did you keep this document?

25 A I kept all documents from everything that had to do when

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25

1 the vehicles became part of -- I kept all documents. I kept
2 all records and these specifically -- the -- all of the records
3 relating to the vehicles. After the arrest of Mr. Saiz, I had
4 concerns about Mr. Javier Olea and I moved all of these
5 documents to a safety deposit box because --

6 Q What is the date of this document?

7 A This document --

8 **MS. HAMPTON:** Can you go, please?

9 A -- is dated October 1, 2008.

10 Q Was Mr. Saiz-Pineda in office at this time?

11 A I believe he was.

12 **MS. HAMPTON:** Can you go to the next page, please?

13 A That is the license plate registration for the vehicle
14 tags assigned to the same vehicle -- well, 2006 Lamborghini
15 Gallardo.

16 Q The vehicle on -- this is Page 9, for the record. On that
17 Page 8 --

18 **MS. HAMPTON:** Can we go back to Page 8, please?

19 Q The same vehicle, is that what you're saying, from this
20 document on Page 8?

21 A Can you scroll back down, please?

22 Q Yes, sir.

23 A Let's see the -- I'm trying to see the VIN number.

24 **MS. HAMPTON:** Can you zoom in, please?

25 A It's the same vehicle. I cannot see the VIN number on it

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1 but it appears to be the same vehicle.

2 Q I'm going to point to the VIN numbers.

3 A Oh, there it is. I see it. Yes, it is the same vehicle.

4 Q It ends in 2669; is that correct?

5 A Correct.

6 **MS. HAMPTON:** Can you go back up to Page 8, please?

7 Q 2669, is it the same VIN?

8 A Correct.

9 Q Okay.

10 **MS. HAMPTON:** Can we go back to Page 9?

11 Q Who is the owner, according to this document on Page 9, of
12 this vehicle?

13 A Premium de Collection.

14 Q And what is this document dated?

15 A This is dated September 22nd, 2010.

16 Q Was Mr. Saiz-Pineda in office at that time?

17 A Yes.

18 **MR. REYNAL:** Your Honor, we've had these questions
19 several times. I don't think this comes from any personal
20 knowledge of the witness. The jury will recall the testimony
21 as to when Mr. Saiz-Pineda was or wasn't in office.

22 **MS. HAMPTON:** Your Honor, he's the --

23 **THE COURT:** Overruled.

24 **MS. HAMPTON:** Thank you.

25 Can we go down to Page 10, please?

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1 **BY MS. HAMPTON:**

2 Q What is this document?

3 A This is the insurance policy for the same vehicle, the
4 2006 Gallardo -- Lamborghini Gallardo with the same serial
5 number -- same VIN number.

6 Q What is the date of this insurance policy?

7 A The date of the policy is from April 29th, 2011 to April
8 29th, 2012.

9 **MS. HAMPTON:** Can we go down, please?

10 Q Page 11, what is this?

11 A I'm unfamiliar with the entity but bear with me one
12 second. It appears to be an auto dealership in Mexico selling
13 a vehicle to Premium de Collection.

14 Q What is this document dated?

15 A March 9th of 2009.

16 Q What type of vehicle?

17 A It is a Rolls Royce Phantom.

18 Q Is this one of the vehicles housed in Miami at the MB Tech
19 Warehouse?

20 A I do not recall.

21 **MS. HAMPTON:** Can you go down, please?

22 Q Page 12, what is this document?

23 A That would be the tag registration for the Rolls Royce
24 Phantom and, again, I didn't see the VIN before but this one
25 ends in 1550. If we could go back up -- one -- yeah.

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1 **MS. HAMPTON:** Go back up to Page 11, please.

2 A 15 -- yes, same vehicle.

3 Q Okay. Page 12, what is the title -- titled owner? Who is
4 the titled owner?

5 A The titled owner is Premium de Collection.

6 Q And what is the date of the title?

7 A September 29th, 2010.

8 **MS. HAMPTON:** Next page, please.

9 A That's insurance policy for the same vehicle with the same
10 vehicle identification number, 2009 Rolls Royce Phantom.

11 Q And what's the date of the insurance policy?

12 A The date of the insurance policy is effective October
13 28th, 2010 expiring October 28th, 2011.

14 **MS. HAMPTON:** Next page, please.

15 Q What is this?

16 A License plate registration for a Bentley Continental GT
17 dated September 23rd, 2010 with the registered owner being
18 Premium de Collection.

19 Q That's Page 14, for the record.

20 **MS. HAMPTON:** Next page, please.

21 Q Page 15, what is this?

22 A Can we go back up to 14, please?

23 Q Yes, sir.

24 A Okay, 15. Yes, it's the same -- it's the insurance policy
25 for the Bentley Continental GT Speed, 2009 and the coverage is

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1 from October 21, 2010 to October 21, 2011.

2 Q That's Page 15.

3 **MS. HAMPTON:** Next page, please.

4 Q Page 16, what is this?

5 A That is on the letterhead of Jofesa and it is apparently
6 an invoice to Premium de Collection for a used truck, a G55
7 Mercedes Benz AMG, 2009 with a VIN number and it appears to be
8 a receipt of sale.

9 Q Was there a G55 in the warehouse in Miami where MB Tech
10 housed the cars?

11 A I do not recall.

12 Q What's the date of this document?

13 A This document is March 20th, 2009.

14 Q Who is the client?

15 A Premium de Collection.

16 **MS. HAMPTON:** Next page, please.

17 Q Page 17.

18 A That is the registration --

19 Q Page 17, what is this?

20 A It is the registration of the tags -- and if we could look
21 at the prior page for the serial number. Yes, it's the same
22 serial number. That is the registration -- the Mexican
23 registration for license plates for the vehicle dated September
24 22nd, 2010 registered to Premium de Collection.

25 Q That was Page 17, for the record.

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1 **MS. HAMPTON:** Next page, please.

2 Q Page 18, what is this?

3 A That is the insurance policy for the same vehicle covering
4 March 12th, 2011 to March 12th, 2012.

5 **MS. HAMPTON:** Next page, please.

6 Q Page 19, what is this?

7 A This is an invoice from Jofesa to Premium de Collection
8 for the purchase of a Mercedes Benz SLR McLaren 722 dated 2007.

9 **MS. HAMPTON:** Can you go back up, please?

10 Q What's the date?

11 A The date is October 1, 2008.

12 Q Who is the client?

13 A Premium de Collection.

14 **MS. HAMPTON:** Next page, please.

15 Q That's Page 19, for the record. Page 20, what is this?

16 A That is the Mexican registration of the McLaren with the
17 same serial number in the name of Premium de Collection and the
18 plates were issued on September 30th, 2010.

19 Q That was Page 20.

20 **MS. HAMPTON:** Next page, please.

21 Q What is this?

22 A Same serial number, it's the registration of the insurance
23 coverage for the 2007 Mercedes Benz McLaren in the name of
24 Premium de Collection, the insurance covering from September
25 8th, 2010 to September 8th, 2011.

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1 **MS. HAMPTON:** Next page, please.

2 Q Page 22, what is this?

3 A Letterhead of Jofesa naming Premium de Collection as a
4 client, purchase of a used car, a 2007 -- I believe that would
5 be a Mercedes -- yeah, Mercedes Benz CLK AMG Convertible dated
6 October 1, 2008.

7 **MS. HAMPTON:** Next page, please.

8 Q 23, what is this?

9 A Can we go back up for one second, please?

10 Q Yes, sir. To 22.

11 A Scroll down. Yes, okay. And down now.

12 Q 23?

13 A That is the registration of the license plate of that same
14 Mercedes Benz CLK AMG Convertible.

15 Q Who is the owner, the titled owner?

16 A The titled owner is Premium de Collection and it's
17 registered on September 22nd, 2010.

18 **MS. HAMPTON:** Next page, please.

19 A And that would be the insurance policy for the same
20 vehicle issued to the owner Premium de Collection covering the
21 period of September 3rd, 2010 to September 3rd, 2011.

22 Q That's Page 24, for the record.

23 **MS. HAMPTON:** Next page, please.

24 Q Page 25, what is this document?

25 A This would be a dealership invoice from the Ferrari

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1 Maserati dealership in Mexico City.

2 Q Whose name is on here?

3 A Jose Juan Cantu Espinosa de los Monteros.

4 Q What is "vendito," sold to?

5 A I'm sorry?

6 Q What does "vendito" --

7 A It means "sold to," correct.

8 Q And what, according to this document, was sold to
9 Mr. Espinosa by Ferrari Motor City?

10 A In Mexico City, yes.

11 Q What was sold to Mr. Espinosa, according to this document?

12 A An F1 -- an FI 99 F1 Ferrari, 2008, a red Modena Ferrari
13 from 2008.

14 Q What's the date?

15 A I guess that date is May 29th, 2008 but can you scroll up,
16 please, to make sure of that?

17 Q Yes, sir.

18 **MS. HAMPTON:** Can you go up, please?

19 Q This is Page 25.

20 A Yeah, that's the date, the 29th of May, 2008.

21 Q Why do you have a document in the Mexican car fleet files
22 for your office with Mr. Espinosa's name on it?

23 A I do not know Mr. -- who Mr. Espinosa is and there were --
24 there was a file of documentation that was provided to me at
25 the time that I had been asked to try to federalize these

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1 vehicles and I'm assuming this was part of the package that was
2 sent. I have no recollection of this one.

3 Q Who gave you this document?

4 A It was sent from Mexico. I don't know if Mr. Manuel
5 Rodriguez sent it or if someone else did but it was through my
6 communication with him.

7 Q Is this Ferrari one of the cars that was housed at MB
8 Tech?

9 A I do not know but it can be verified on that other
10 checklist because the VINs are on it.

11 Q Okay. The VIN is -- let's see. This one is ending in
12 9653?

13 A Yes.

14 **MS. HAMPTON:** Can we go to Page 1, please?

15 Q This is Page 25. Page 2.

16 A Can you scroll down, please? I'm sorry, up.

17 **MS. HAMPTON:** Can you go up, please?

18 A Oh, there it is, yes. There it is.

19 Q On Page 2, there's a box that says, "2008 Ferrari F --
20 599F1"; is that correct?

21 A That is correct as --

22 Q Ending in 9653?

23 A Yes, same VIN.

24 Q So this car was physically at the warehouse?

25 A Yes.

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1 Q And you, as part of this document on Page 2, inventoried
2 these cars while they were at the warehouse?

3 A Yes, ma'am.

4 **MS. HAMPTON:** Can we go back to Page 25, please? 25,
5 please. Okay. Let's go down to 26.

6 Q Is this --

7 A That --

8 Q -- the same Ferrari?

9 A Yes, it is and it's the registration of license plates for
10 it dated September 23rd, 2010 with the ownership being Premium
11 de Collection.

12 Q This is the same Ferrari from Page 25 that Mr. Espinosa
13 purchased, according to that document?

14 A Correct.

15 Q And what is the date of the title here?

16 A The date of the title -- well, I don't recall the date of
17 the title. The date of the plates is September 23d, 2010. I
18 need to look back at the other document. May 29th, 2008.

19 **MS. HAMPTON:** On Page 25, after 26.

20 Q And the titled owner of this Ferrari was who, according to
21 Page 26, the document?

22 A Premium de Collection.

23 **MS. HAMPTON:** Page 27, please.

24 Q What is this?

25 A That is the insurance company providing the insurance for

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1 that same vehicle and it is for -- I'm sorry, July 28th, 2010
2 to July 28th, 2011 -- can you scroll up, please -- yes, to the
3 Premium de Collection as the insured owner.

4 **MS. HAMPTON:** Page 28, please.

5 Q What is this?

6 A It appears to be an invoice from a dealership in
7 Monterrey, Mexico for the sale of a Lamborghini Murcielago, a
8 2007.

9 Q What is the date of this bill?

10 A The date of the invoice is August 18th, 2008.

11 **MS. HAMPTON:** Next document, please.

12 Q Page 29, what is this?

13 A May we go back one page to verify the VIN, please?

14 Q Yes, sir.

15 **MS. HAMPTON:** 28.

16 A Okay. And back down.

17 **MS. HAMPTON:** And 29.

18 A Yes, this is the registration of the vehicle plates in the
19 name of Premium de Collection for the same Lamborghini we just
20 saw on September 23rd, 2010.

21 **MS. HAMPTON:** Next page, please.

22 Q What is this? Page 30.

23 A That is the insurance for the same vehicle covering
24 Premium de Collection as owner and dated March 3rd, 2010 to
25 March -- I'm sorry -- September 3rd, 2010 to September 3rd,

1 2011.

2 **MS. HAMPTON:** Next page, please.

3 Q 31, what is this?

4 A Can you scroll up higher, please? That's the letterhead
5 of the Lamborghini dealership in Milano, Italy and it is in
6 Italian. If you could scroll down a little more, yeah. It's
7 an invoice dated July 13th, 2009 for a Lamborghini Murcielago,
8 an orange Lamborghini Murcielago with certain options.

9 Q Is this one of the vehicles that was housed at the MB Tech
10 warehouse in Miami?

11 A I believe -- I'm almost certain it was but it's on that
12 list.

13 Q Who is listed as the person purchasing this vehicle?

14 A It looks like -- can you scroll up just a little more --
15 someone named Rafael Resendiz Servin.

16 Q How did you receive this document?

17 A In the documents that I received from Mexico relating to
18 all of the cars I was requested to convert to U.S. specs.

19 **MS. HAMPTON:** Next page, please.

20 Q Page 32, what is this?

21 A That would be the registration in Mexico. Again, I need
22 to go back and see the VIN. I'm sorry. Scroll down, please.
23 Yes, that is the same VIN number. So the next page is the
24 registration of that vehicle but it's titled to Premium de
25 Collection in the registration plates and it is dated -- it

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1 looks like September 27th -- it's covered with a stamp but from
2 the big stamp on the bottom, it looks September 27th, 2010.

3 Q That's Page 32, for the record.

4 **MS. HAMPTON:** Next page, please.

5 Q What is this?

6 A That is the insurance for the Lamborghini Murcielago, same
7 vehicle with the same VIN number. Insured is Premium de
8 Collection. Date of coverage for the car's insurance is August
9 6th, 2010 to August 6th, 2011.

10 **MS. HAMPTON:** Next page, please.

11 Q Page 34, what is this?

12 A That is an invoice from Ferrari dealership -- Maserati
13 Ferrari dealership in Mexico City selling the vehicle to
14 Premium de Collection. It is a Ferrari 430 Scuderia, 2009,
15 red, black interior, dated May 21st, 2009.

16 **MS. HAMPTON:** Next page, please.

17 Q Page 35, what is this?

18 A I saw the VIN last time. So you don't have to go back.
19 That is the same VIN for the same vehicle registering the
20 vehicle to Premium de Collection on September 27th -- or 26th
21 of 2010 registering the plates for the vehicle.

22 **MS. HAMPTON:** Next page, please.

23 Q Page 36, what is this?

24 A That is the insurance for the same vehicle issued to
25 Premium de Collection as the insured issued on May 26, 2010

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1 through May 26, 2011.

2 Q Page 37, what is this?

3 A I am unfamiliar with the company but it appears to be an
4 invoice for a letter from a consulting or a purchasing agency.

5 Q For --

6 A Okay.

7 Q -- which vehicle?

8 A This is for the Koenigsegg, the -- I believe it's a
9 Swedish exotic sports car and it's an invoice naming Andres
10 Padilla Paez as the owner.

11 Q And what's it dated?

12 A It's dated April 15th, 2009.

13 Q Is this one of the vehicles that was housed by MB Tech at
14 the warehouse in Miami?

15 A Yes.

16 **MS. HAMPTON:** Go to the next page, please.

17 Q Page 38, what is this?

18 A That is the registration of the plates for the same
19 vehicle dated 10/8 -- October 8th, 2010 and it is registered to
20 Premium de Collection again.

21 **MS. HAMPTON:** Page 39, please.

22 A That is the insurance from the Mexican insurer for the
23 same vehicle naming Premium de Collection as the insured and
24 the coverage period being May 28th, 2010 to May 28th, 2011.

25 **MS. HAMPTON:** Page 40, please.

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1 Q What is this?

2 A It -- I don't know what kind of business it is but it's a
3 business invoice from a company called "Palcom." It doesn't
4 say whether it's -- what kind of business it is -- and naming
5 -- the client is Antonio Espinosa de los Monteros Leal and it
6 is for the sale of a Lamborghini Gallardo 2008 Superleggera.

7 Q What's it dated?

8 A It's dated June 26, 2007.

9 Q Is this Lamborghini one of the vehicles that was housed at
10 the warehouse in Miami?

11 A I am almost certain but I would need to see the list to
12 confirm.

13 **MS. HAMPTON:** Can we go back to Page 2, please?

14 Q The VIN is 5622, last four digits.

15 A Yes, there it is. It's Number 10.

16 Q So that vehicle with Mr. Espinosa's name on the invoice
17 was actually in the warehouse and you saw it with your own
18 eyes?

19 A Yes, ma'am.

20 **MS. HAMPTON:** Can we go back to Page 40, please?

21 Page 41, please.

22 Q What is this?

23 A That is the insurance for the vehicle naming Premium de
24 Collection -- I'm sorry -- the tag registration -- I apologize
25 -- the license tags for that same vehicle dated March 30th,

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1 2010 with the registration of the car going to Premium de
2 Collection.

3 Q I'm sorry, what date did you say is --

4 A September 30th, 2010.

5 Q Yes, sir.

6 **MS. HAMPTON:** Can we go to Page 41, please?

7 Q The insurance for the same vehicle?

8 A That is the listing of the same vehicle naming Premium de
9 Collection as the insured and covering the car from June 4th,
10 2010 to June 4th, 2011.

11 **MS. HAMPTON:** Next page, please, 43.

12 Q What is this?

13 A That is an invoice from Jofesa to Premium de Collection.

14 Q What's it dated?

15 A It is dated October 1, 2008 and it's for a Porsche -- a
16 2004 Porsche 911 Carrera 4S car.

17 **MS. HAMPTON:** Page 44, please.

18 Q What is this?

19 A Can we go back up -- I'm sorry -- to see the VIN again?

20 Q Yes, sir.

21 A Okay. That is the registration of the license plates for
22 that same Porsche dated May 31, 2010 with the car registered in
23 the name of Premium de Collection.

24 **MS. HAMPTON:** Page 45, please.

25 A That is the insurance company for the same vehicle dated

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1 -- the coverage period May 26, 2010 to May 26, 2011 with the
2 insured as Premium de Collection.

3 **MS. HAMPTON:** Page 46, please.

4 Q What is this?

5 A Invoice from Jofesa to Premium de Collection for the
6 purchase of a used Mercedes Benz SL 55 AMG, 2008. The invoice
7 is dated January 9th, 2009.

8 **MS. HAMPTON:** Can you go down, please?

9 Q 47, what is this document?

10 A That is the same VIN number. That is the license
11 registration in the name of Premium de Collection for the
12 plates for that same SL 55 Mercedes dated May 31, 2010.

13 **MS. HAMPTON:** Page 48, please.

14 Q What is this?

15 A That is the insurance for the same vehicle naming Premium
16 de Collection as the insured and coverage period May 18th, 2010
17 to May 18th, 2011.

18 **MS. HAMPTON:** Page 49, please.

19 Q What is this?

20 A That is another dealership receipt from the Ferrari and
21 Maserati dealer in Mexico City with the customer being Premium
22 de Collection and it is for the sale of a 2010 Ferrari
23 California, red, black interior, dated November 30th, 2009.

24 Q Go down, please.

25 Page 50; what is this?

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1 A Let's see where the VIN is. I'm seeing a different VIN
2 number. Can you please go back up a second?

3 Q Yes, sir.

4 A 0078. Okay. Yeah, it's the same vehicle, and it's the
5 insurance naming the insured as Premium de Collection, and it's
6 issued on November 24th, 2010, expiring November 24th, 2011.

7 Q Page 51, please. What is this?

8 A It's an invoice from Jofesa to Premium de Collection, date
9 December 23rd, 2009, for the purchase of a Mercedes-Benz SL65
10 AMG Black Series 2010.

11 Q Next page, please, 52; what is this?

12 A That is the registration of the plates for that same
13 vehicle to register it for Premium de Collection on November 8,
14 2010.

15 Q Page 53, please. What is this?

16 A That is the insurance policy with the insured as Premium
17 de Collection for the same vehicle with the coverage beginning
18 December 30th, 2010, and ending December 30th, 2011.

19 Q Page 54? What is this?

20 A Let's see. That is the registration for the license
21 plates for the Ferrari California, possibly the one we saw
22 earlier; I do not recall the VIN number, but it's dated May 31,
23 2010, and it's registered in the name of Premium de Collection.
24 We could look back at the list to see if it's the same
25 California. The serial ends in 0078.

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1 Q Page 55, please. What is this?

2 A Appears to be a Bentley dealership in Polanco, Mexico,
3 sending an invoice to Premium de Collection for a 2009 Bentley
4 Continental GT Speed dated February 10, 2009, indicating it's a
5 new vehicle.

6 Q Let's get out of that file.

7 A I'm sorry?

8 Q I'm talking to my agent. I'm sorry.

9 A Oh. Okay.

10 Q Under Exhibit 115, let's go to notes regarding documents.

11 What is this? Page one.

12 A Those are my notes. Those are my notes. May I read them
13 and --

14 Q Yes.

15 **MR. REYNAL:** Your Honor, I'm going to object to the
16 notes. I think he needs to offer his testimony and then
17 counsel needs to refresh his recollection or something. Maybe
18 there is a way for the notes to come in, but --

19 **THE COURT:** Sustained.

20 **MR. REYNAL:** Thank you, your Honor.

21 **MS. HAMPTON:** Your Honor, this is a business --

22 **THE WITNESS:** Oh, I --

23 **MS. HAMPTON:** -- document that he kept in his
24 records, and he -- he kept these; he turned them over to the
25 Government. He kept them in the regular course of business.

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1 This has been established. We'd ask that he would be -- he be
2 allowed to -- that we be allowed to publish this document to
3 the jury.

4 **THE COURT:** Any response?

5 **MR. REYNAL:** Same objection, your Honor.

6 **THE COURT:** Yeah; sustained.

7 **THE WITNESS:** I can testify to what's on the
8 document, because I remember what it is.

9 **BY MS. HAMPTON:**

10 Q You kept a file that -- that said "notes regarding
11 documents." What was that file about?

12 A In the course of reviewing all of the documentation when I
13 was subpoenaed and I had to provide you with all of the
14 documentation, I found -- there were three documents --

15 **MR. REYNAL:** Your Honor --

16 **THE COURT:** Hold on.

17 **MR. REYNAL:** -- now we're -- we've sort of moved
18 forward. Now, actually, this document was prepared by him in
19 order to respond to the questions of the Government? It sounds
20 like. I --

21 **THE COURT:** Is that right? When was that prepared?

22 **THE WITNESS:** It was prepared over my review of the
23 documents the last few weeks.

24 **THE COURT:** So, clearly --

25 **MR. REYNAL:** Over the last few weeks. So --

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1 **THE COURT:** Yeah. Clearly, not admissible. So,
2 sustained.

3 **BY MS. HAMPTON:**

4 Q Can we go back to Exhibit 115, please? Can you get out of
5 this, please? Can you go to WF deposit boxes?

6 What is this file that you kept?

7 A That is an envelope that contained a license plate for a
8 vehicle from Mexico that for some reason wound up in the
9 documents left, and I left it in the safety deposit box.

10 Q Can you go to page two?

11 What is this?

12 A That is the license plate that I had in the --

13 Q What car did this license plate belong to?

14 A It belonged to a Pagani Cinque roadster.

15 Q Why did you have this in the safe deposit box?

16 A The vehicle was seized from the warehouse of Fernando
17 Latorre, and I dealt with the customs process when it was
18 seized by customs, and it had to be expatriated, and I was
19 involved with that process. And the plate was left after it
20 was shipped out of the country.

21 Q Was this the only thing you kept in the safe deposit box?

22 A All of the other documentation that you had previously was
23 all in the safety deposit box.

24 Q What was the purpose of you keeping this license plate
25 that belonged to the Pagani in a safe deposit box?

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1 **MR. REYNAL:** Objection, your Honor. Asked and
2 answered.

3 **THE COURT:** Sustained.

4 **BY MS. HAMPTON:**

5 Q You testified regarding a meeting you attended in New
6 Zealand.

7 A Yes.

8 Q When did that happen?

9 A May I look at my notes for the dates?

10 Q Yes, sir.

11 A February, 2011.

12 Q Did you travel with anyone to New Zealand?

13 A My wife went with me.

14 Q Who did you meet with in New Zealand?

15 A I met with Karen Marshall and her staff of Cone and
16 Marshall law firm.

17 Q What was the meeting regarding?

18 A The meeting was a meeting that I requested after Manuel
19 Rodriguez asked me to take on the responsibility of custodian
20 for the -- the trust assets and -- and paying the trust asset
21 bills for the apartments and --

22 Q What trust?

23 A The JEC Trust.

24 Q What trust assets?

25 A The trust assets were four condominiums and the company,

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1 Minelo, that owned the vehicles we've been discussing -- well,
2 some of the vehicles we've been discussing.

3 Q Which four condominiums?

4 A There's a condominium the LLC that owns; it's called
5 Century 23, and it is in Los Angeles. There is -- and I get
6 the names of the companies confused. I apologize for that.
7 There is one in New York, and there are two in a building
8 called Jade in south Florida, Miami, Florida.

9 Q Were each of those assets, those four condominiums,
10 purchased before you became involved with Mr. Jose Manuel Saiz-
11 Pineda?

12 A Yes, ma'am.

13 Q What did you do, if anything, regarding those four assets
14 after you came into the picture?

15 A Well, initially my trip to New Zealand was because I
16 wanted to see the structure --

17 **MR. REYNAL:** Your Honor --

18 **THE WITNESS:** -- of the trust and --

19 **THE COURT:** Hold on.

20 **MR. REYNAL:** It doesn't sound like he's answering the
21 question as to what he did with the assets.

22 **THE COURT:** Sustained.

23 **THE WITNESS:** I -- I paid the bills for the
24 condominium taxes, for the fees. Mr. Enrique Marichal was the
25 property manager, and he would pay the bills and he would send

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1 me monthly the list of invoices and associated costs, and then
2 I would send them, get them approved from Mexico, and then with
3 their authorization I would disburse the payments to reimburse
4 Mr. Marichal.

5 **BY MS. HAMPTON:**

6 Q Regarding those four condos.

7 A Yes, ma'am.

8 Q And, then, after you became involved with these
9 individuals, what entities were created with the help of you
10 and what properties were purchased with the help of you?

11 A The --

12 **MR. REYNAL:** Your Honor, I think we've already gone
13 over all of this. I'm going to object to asked and answered
14 again.

15 **MS. HAMPTON:** We haven't gone over this at all, your
16 Honor.

17 **THE COURT:** Did we not address it on Friday? I'll
18 give you some leeway, but I thought we had discussed that. But
19 overruled at this point.

20 **THE WITNESS:** Answer?

21 **MS. HAMPTON:** You can answer. Yes, sir.

22 **THE WITNESS:** Yeah. I formed the entity Titan
23 Delaware, I formed Phantom International Investments, and
24 Phantom International Technology, as I explained earlier.
25 Subsequent to that I formed a company called Inquisitec for the

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1 purpose of securing the visa for Dr. Fernando Saiz.

2 **BY MS. HAMPTON:**

3 Q And what -- other than those four condos, what real
4 properties were you involved with the purchase of after you --
5 you came into the picture?

6 A The purchase of the Elmhurst house by Phantom
7 International Investments, which I was instructed to do, was
8 all structured through the Titan companies and Phantom
9 International Investments, which I had formed. And I was in
10 charge of that whole process.

11 Q Were you involved with purchase of the Porsche property
12 also?

13 A Inadvertently. I had been asked to transfer funds that I
14 had received when I first opened the accounts for JEC. There
15 was a refund from the closing of the California property that
16 those funds were deposited into an account I had opened for
17 23C, the California entity that owned the California
18 condominium. That -- those funds were subsequently -- and I
19 don't know the dates -- transferred to another attorney trust
20 account, and it was much, much later that I realized that that
21 had been either the initial or a key initial deposit for the
22 Porsche property, but I was unaware of the purchase of the
23 Porsche property.

24 Q What -- what is Gladiator?

25 A Gladiator is the entity that, if I'm not mistaken, owns

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1 the Jade penthouse, the -- the more expensive unit of the two
2 Jade condominiums.

3 Q What is Spartan?

4 A I'm sorry?

5 Q What is Spartan?

6 A Spartan, I believe, owns the other unit in Jade.

7 Q What is Samurai?

8 A Samurai is the entity, if I am not mistaken, that owns the
9 New York condominium.

10 Q What is Asia Pacific?

11 A Asia Pacific was an entity that I formed that had
12 nothing -- it was an entity that I formed independently.

13 Q What is Private Placement?

14 A Partners?

15 Q Yes.

16 A That -- that was a company that I formed before my EB-5
17 business was approved by the USCIS for marketing.

18 Q Which of these entities did you create bank accounts for
19 or did you open bank accounts for?

20 A All of those.

21 **MS. HAMPTON:** Your Honor, at this time the Government
22 would move to admit Exhibit 12, 13, 15, 19, 21, 28, 33, 34, 41,
23 43, 46, 47, 48, 51, 52, 53, 54, 55, 61, 62. Those are the bank
24 accounts, the company documents, and the real property records
25 regarding the companies and properties and assets Mr. Latour

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1 has discussed.

2 **MR. REYNAL:** No objection.

3 **THE COURT:** They're admitted.

4 **(Government's Exhibits Numbers 12, 13, 15, 19, 21, 28, 33,**
5 **34, 41, 43, 46, 47, 48, 51, 52, 53, 54, 55, 61 and 62 were**
6 **received in evidence)**

7 **MS. HAMPTON:** May I publish to the jury, your Honor?

8 **THE COURT:** Yes.

9 **BY MS. HAMPTON:**

10 Q Let's start with Exhibit 11. Let's go to the signature
11 card.

12 What is this?

13 A That is the opening of the account for Phantom
14 International Technology. The accounts were opened with
15 Wachovia, but it quickly became Wells Fargo almost immediately
16 after the bank was bought out.

17 Q And what is the date that this account was opened?

18 A March 31st, 2011.

19 Q And is that your signature?

20 A Yes, it is.

21 Q Opening the account?

22 A Yes, opening the account.

23 Q What was this account used for?

24 A This one was the account that was used for the planned
25 investments in various technology companies that have been

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1 identified.

2 Q Did you use this account for your retention fees, your
3 attorney retention fees, also?

4 A I believe my retainer fees were paid by the parent
5 company, by Titan.

6 Q Okay. Let's go out of this document, please. Let's go to
7 Exhibit Number 12. Go to the signature card.

8 What is this?

9 A That is the -- the opening of the account for Titan
10 International Management, the Delaware parent company, and it's
11 dated March 11th -- I'm sorry; March 31st, 2011.

12 Q Same day that PIT was opened, correct?

13 A Yes. I -- I believe I opened all of these the same time.
14 Well, of the Titan companies.

15 Q Okay. Let's go out of this document. Go to Titan POA
16 under the same exhibit.

17 What is this?

18 A This is a power of attorney that -- let's see if I
19 prepared this. Can you scroll down, please? Yeah, it looks
20 like a simple power of attorney that I prepared authorizing me
21 to act on behalf of Titan International Management since
22 Dr. Saiz was -- just essentially, effectively, giving me power
23 of attorney to act on the company.

24 Q Okay. Let's go to this document, please. Go into wire
25 request. There you go. Can you zoom in, please?

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1 What is this?

2 A Let's see here. This is a wire -- bear with me. It looks
3 like an inbound wire from -- I apologize for the delay. Just
4 let me -- from Jofesa coming into the account of Titan
5 International Management on August 11th -- I'm sorry -- on
6 August 5th, 2011, and an inbound wire from a Mexican bank
7 crediting -- in other words, the money coming from Jofesa in
8 Villahermosa, Mexico, to Titan International account, and that
9 is my office address, the 4500 Biscayne.

10 Q So, over on the left, bottom side of page one, you can see
11 Jofesa, and what is the address for Jofesa?

12 A Sanchez Magallanes, one one three piso -- that's floor --
13 and then Villahermosa, Mexico.

14 Q Is it one one one three?

15 A One one one three it looks like.

16 Q And what account is the money coming to on the right-hand
17 side?

18 A It's coming to the Titan International account that I had
19 established with Wachovia.

20 Q How much came in on this --

21 A The amount is \$329,500.

22 Q Page two, please.

23 What is this?

24 A It is a deposit dated August 17, 2011, going to Titan, the
25 account that I had established, from Jofesa for the amount of

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1 \$326,462.

2 Q Next page, please, page three.

3 What is this?

4 A Let's see. Also a transfer from Jofesa to the Titan
5 account I opened dated November -- I'm sorry -- September 8th,
6 2011, for the amount of \$523,038.

7 Q So, in less than a month these first three transactions
8 are over a million dollars; is that correct?

9 A Yes.

10 Q Okay. Next page, please; page four.

11 What is this?

12 A This is also from Jofesa to the same Wells Fargo account I
13 had opened for \$26,000 dated September 13th, 2011.

14 Q Page five, please. What is this?

15 A Inbound wire from Jofesa to the same Titan account for
16 \$249,500 dated October 19th, 2011.

17 Q Page six, please. What is this?

18 A A transfer from Jofesa, it looks like the same bank, to
19 Titan International's account on October 19, 2011, for the
20 amount of \$30,000.

21 Q Page seven, please. What is this?

22 A A transfer from Jofesa to the Titan account on December
23 2nd, 2011, for \$154,500.

24 Q Page eight, please. What is this?

25 A A December 2nd, 2011, transfer, also from Jofesa, same

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1 bank, to the Titan account for the amount of \$15,000.

2 Q Page nine, please. What is this?

3 A Transfer from Jofesa to Titan, same accounts, dated
4 January 5th, 2012, for \$20,000.

5 Q Page ten, please. What is this?

6 A Transfer from Jofesa to Titan on March 12, 2012, for
7 \$31,000.

8 Q Page 11, please. What is this?

9 A Another transfer from Jofesa to the Titan account on July
10 12, 2012, for \$63,000.

11 Q Page 11, please. What is this?

12 A Transfer from the same bank of Jofesa to the same account
13 at Titan, Wells Fargo, on August 10, 2012, for \$100,000.

14 Q Page 13, please. What is this?

15 A A transfer, same account -- hold on. Yes, same account of
16 Jofesa, Banco America N.D. to the Titan account at Wells Fargo,
17 for \$15,000 dated August 22nd, 2012.

18 Q Page 14, please. What is this?

19 A A transfer of \$250,000 from Jofesa to the Titan
20 International account dated September 7th, 2012.

21 Q Page 15, please. What is this?

22 A A transfer of \$120,000 from the same account by Jofesa to
23 Titan International Management on -- on September 7th, 2012,
24 120,000.

25 Q Page 16, please? What is this?

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1 A Another \$120,000 transfer on September 20th, 2012, from
2 the same Jofesa bank account to the same Titan Wells Fargo
3 account.

4 Q Page 17, please. What is this?

5 A Same account transferring from Mexico from Jofesa to
6 Titan, same account, on October 1st, 2012, for \$297,620.

7 Q Page 18, please. What is this?

8 A A \$30,000 transfer from Jofesa, same account at Banco
9 America N.D. to the Wells Fargo account of Titan dated October
10 11, 2012.

11 Q Page 19, please? What is this?

12 A A \$301,459.30 transfer from the same bank of Jofesa to the
13 Titan International Management account on October 22nd, 2012.

14 Q Page 20, please. What is this?

15 A December 19th, 2012, transfer from the same account of
16 Jofesa to the same account of Titan for the amount of \$30,000.

17 Q Page 21. What is this?

18 A A \$220,000 transfer from the same Jofesa account in Mexico
19 to the same Titan account in Miami dated January 7th, 2013.

20 Q Page 22. What is this?

21 A A \$15,000 transfer from the same account of -- can you
22 scroll down a little, please? Okay. The same account of
23 Jofesa to the same account of Titan International dated
24 February 13th to February 20th, 2013, for \$15,000.

25 Q Page 23. What is this?

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1 A A \$220,000 transfer from the same account of Jofesa in
2 Mexico to the same account of Titan in the United States on May
3 14th, 2013.

4 Q Page 24. What is this?

5 A Seventy-five-thousand-dollar transfer dated May 14th,
6 2013, from the same account of Jofesa to the same Titan account
7 at Wells Fargo.

8 Q Page 25. What is this?

9 A A \$123,830 transfer from May -- dated May 13th --
10 May 21st, 2013, from Jofesa's account to Titan's account.

11 Q Were there any wires to the Titan account after Mr. Saiz-
12 Pineda was arrested from Jofesa?

13 A I do not recall any --

14 Q Can you go back up to the top of page 25?

15 What is the date of this wire?

16 A May 21st, 2013.

17 Q To your knowledge, were there any wires after this from
18 Jofesa to Titan?

19 A I do not recall any.

20 Q Can we get out of this document and go to statements,
21 please? Statement account, page three?

22 Page three; what does this show?

23 A This shows deposits of 3,000 on May 6th and of 296,100 on
24 May 26th from Jofesa's -- from Jofesa to the Titan
25 International account at Wells Fargo.

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1 Q What was the -- what was the date? I'm sorry.

2 A Of the -- of the transfers?

3 Q Yes, sir.

4 A I'm sorry?

5 Q Yes, sir.

6 A Yeah, the -- the first -- the 3,000 was May 6th, 2013, and
7 the second, the larger one, was May 26th, 2013.

8 Q Can you go to page 17, please? Seventeen, please? Can
9 you zoom in, please?

10 Do you see the date on the top of page 17, the year,
11 I mean?

12 A Yes.

13 Q Two thousand eleven. Can we go down, please?

14 Under transaction history, what deposits or credits
15 are made and when?

16 A This is 2013, correct?

17 Q Can we go back up to the top of the page, please?

18 A Oh, no, I'm sorry; August, 2011. Okay. And you want to
19 know about the deposits?

20 Q Yes, sir.

21 A There was a deposit and some withdrawals made on August
22 1st, and I have no recollection of those deposits and
23 withdrawals for the 15,400 and the withdrawal I'm -- I'm -- I
24 honestly do not remember. The -- the one dated eight fifth was
25 an inbound wire from Jofesa for \$329,500. The one dated 8/17

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1 was an inbound deposit from Jofesa for \$326,462, and the 8/29
2 transfer, that would have been -- that was the transfer out of
3 this account for the 15 -- the retainer was the 15K, my -- my
4 retainer that I was paid, and the 2,000 miscellaneous would
5 have been probably various bills I had fronted that I was
6 getting reimbursed.

7 Q You opened this account, the document said, May -- I'm
8 sorry -- March of 2011, correct?

9 A That sounds correct.

10 Q Page 21, please. Do you see the date?

11 A September of 2011. Yes.

12 Q Okay. Can we talk about the deposits under transaction
13 history on this page, 21?

14 A Yes. Okay. The first one -- the September 1st withdrawal
15 for deposit to Aventura Business Park, there was a contract
16 that was signed by Mr. Marichal that there was an intent to
17 purchase either part or -- part of an industrial park, like a
18 warehouse park, and that 65,500 that went out was a deposit to
19 secure the transaction. Ultimately, the transaction didn't
20 happen, and -- and that money came back, but that's what that
21 65,000 was. The 9/8, the second item, was an inbound deposit
22 from Jofesa for 523,000. The -- there is a wire fee. The 9/9
23 one, Wharton Executive on line, 26,000, Dr. Saiz --
24 Dr. Fernando Saiz took a number of MBA and executive MBA
25 classes, and this was for a course that he took at University

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1 of Pennsylvania, and that was the -- the cost, and -- and you
2 could see the -- I'm assuming that that \$26,000 deposit that
3 came in shortly thereafter was to cover that.

4 Q And that \$26,000 was covered by the Jofesa money that was
5 in the account; is that correct?

6 A Correct.

7 Q And, then, the deposit on 9/13 was from who?

8 A The deposit on 9/13? I'm sorry? From --

9 Q Was from who? Where did it come --

10 A Oh, it's from Jofesa, and it's \$26,000, and then there is
11 a wire fee, and then there -- 9/28 is the -- the -- that total
12 of 15,190, that was my retainer, 15,000, and the -- these were
13 corporate books I had to purchase, I guess, the other \$190.

14 And, then, the 9/28 \$130,000 transfer was apparently a third
15 deposit -- oh, yeah, because that first one on top is the
16 second deposit for the Aventura Business Park intended
17 purchase, and then the one at the bottom was the third deposit.

18 Q Page 24, please. See the date?

19 A Yes, ma'am.

20 Q October, 2011?

21 A Yes.

22 Q Okay. Let's talk about the transaction on 10/19, the two
23 transactions on 10/19. Who -- who deposited money into the
24 Titan account?

25 A There was deposits from Jofesa for the amount of 249,500

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1 and for the amount of 30,000.

2 Q Page 30? The date is December of 2011, at the top?

3 A Yes. Yes.

4 Q Okay. On 12/2 there's two deposits from who?

5 A Both are from Jofesa. The first one is for 154,500; the
6 second is for 15,000.

7 Q Page 33, please. Date is January of 2012, correct?

8 A Yes, ma'am.

9 Q On January 3rd there are two withdrawals. Can you tell us
10 about those?

11 A On the 3rd? Yes. The -- the initial \$15,000 withdrawal
12 was my retainer for that month, and the next one --

13 Q Let me -- let me stop you there. The -- the initial, you
14 said, 15,000?

15 A Yes.

16 Q Where was it transferred to?

17 A That would have been transferred to Latour Law, to my
18 operating law firm account.

19 Q What does the note on the wire say it's transferred to?

20 A To PIT for LI -- oh, that must be LL Monthly, Latour Law
21 monthly retainer.

22 Q Did you transfer it to the PIT account, the Phantom?

23 A Apparently so. I don't know why I would have done that,
24 but, yes, there must --

25 Q What was that account supposed to be for, the PIT Phantom?

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1 A Just the purchase of -- of the technology companies of --
2 of the -- the various companies he invested in. I -- I don't
3 know why I would have done that, but that's what I did.

4 Q But what about the \$500,000 withdrawal on January 3rd?
5 What was that for?

6 A That was, if I'm not -- if -- I believe that was the
7 refund to Mr. Marichal, who had placed a deposit on the
8 purchase of the Elmhurst home, and I had been instructed by --
9 by Mr. Rodriguez to pay him back the 5,000. I believe that's
10 what that is.

11 Q At this point, January of 2012, has there been -- other
12 than Jofesa making deposits into this account, have there been
13 any other deposits by any other entity or person?

14 A There was the -- the three hundred -- approximately
15 \$300,000 deposit that opened the Century 23 account, which came
16 in the form of a check, which was a refund from the closing. I
17 do not recall if there were any other -- I know that at some
18 point there was a deposit from that Sewick company into the
19 accounts, but -- but I cannot recall when that was. But Jofesa
20 was the transfer of -- of all of these.

21 **THE COURT:** Let's break right there. Let's go ahead
22 and take our morning break. If you want to take 15 minutes.

23 **THE MARSHAL:** All rise for the jury.

24 //
25 //

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1 (The jury exited the courtroom at 10:00 a.m.)

2 THE COURT: All right. We're in a short recess.

3 | Anything to address, Counsel?

4 | MR. REYNAL: No, your Honor.

5 (Recess was taken from 10:01 a.m. until 10:18 a.m.)

6 (Outside the presence of the jury)

7 | THE COURT: Are we ready to proceed?

8 MR. REYNAL: Yes, your Honor.

9 MS. HAMPTON: Yes, your Honor.

12 | (Pause)

13 THE MARSHAL: All rise for the jury.

14 (Jurors enter at 10:19 a.m.)

15 **THE COURT:** All right, you can have a seat, and we'll
16 continue.

17 MS. HAMPTON: May I proceed, your Honor?

18 THE COURT: Yes.

DIRECT EXAMINATION (CONTINUED)

20 BY MS. HAMPTON:

21 Q Mr. Latour, we were on page 33 of the statements account
22 regarding Exhibit 12. Okay, so where is the deposit coming
23 from on January 5th, 2012?

24 A The deposit of \$20,000 came from the Banco Mercantil
25 account of Jofesa, the same account.

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1 Q The payment of \$5,000 on January 3rd that says "money,
2 Houston, prop," was that the first payment for the Elmhurst
3 residence?

4 A I believe that to be the reimbursement to Mr. Marichal of
5 the check he had written for that purpose.

6 Q And there is a \$50,000 transfer on January 6, 2012; can
7 you tell us about that, please?

8 A Yes. Inquisitec was the company that was -- after we were
9 unable to proceed with the L1 visa because I couldn't get the
10 documents from Jofesa, we went to the option of a NAFTA visa
11 for Dr. Fernando Saiz. We -- in order to do that, we had to
12 form a company to hire him and --

13 **THE COURT:** Are we going to continue on that theme
14 even though I've already repeatedly said, let's not go there?

15 **MS. HAMPTON:** Sorry, your Honor.

16 **BY MS. HAMPTON:**

17 Q The \$50,000 was sent to Inquisitec?

18 A To Inquisitec to form the company, yes.

19 Q For Fernando?

20 A His visa.

21 Q Okay.

22 **THE COURT:** Okay, if you mention the visa one more
23 time, I'm not sure what I need to do. But I thought I already
24 addressed that.

25 **THE WITNESS:** I'm sorry.

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1 **THE COURT:** I don't know if you need to visit with
2 your witness about that further.

3 **MS. HAMPTON:** Yes, your Honor.

4 **THE COURT:** I don't know what else to do other than
5 kind of get angry here and start sanctioning people. So that's
6 a warning.

7 **BY MS. HAMPTON:**

8 Q Mr. Latour, we're not discussing anything about any visas,
9 okay?

10 A Understood.

11 Q Let's avoid that topic at all.

12 A Yes, ma'am.

13 Q The Judge will sanction us; you understand?

14 A I understand.

15 Q Okay, thank you.

16 **MS. HAMPTON:** Can we go to page 39, please?

17 Q There's a deposit on March 12th of 2012, correct?

18 A Yes.

19 Q Where is that deposit from?

20 A That is from the Jofesa account in Mexico at Banco
21 Mercantil.

22 Q For \$31,000?

23 A Correct, \$31,000.

24 **MS. HAMPTON:** Can we go to page 42, please?

25 Q April of 2012, correct?

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1 A Correct.

2 Q There is a withdrawal on April 16th, 2012; can you tell us
3 about that, please?

4 A A withdrawal on April 16th?

5 Q Yes, sir.

6 A Yes, that was the payment made to Partners in Building,
7 the construction company building the Elmhurst house, and a
8 \$5,000 payment to Mr. Marichal.

9 Q So the payment went directly from the Titan account to
10 Houston Partners in Building; is that correct?

11 A I am uncertain if it went directly from there or if I
12 transferred it to Phantom International Technology and then
13 paid it from there.

14 Q Yes, sir.

15 **MS. HAMPTON:** Page 51, please.

16 Q In July of 2012 on July 12th, there's a deposit; can you
17 tell us about that, where it came from, please?

18 A Yes, it is from Jofesa Banco Mercantil in Mexico for
19 \$63,000, dated July 12th.

20 **MS. HAMPTON:** Page 54, please.

21 Q August of 2012, there is a deposit on August 10th and on
22 August 22nd; where are those deposits from?

23 A They're both from Jofesa from Banco Mercantil in Mexico.

24 Q And then there is a withdrawal or a payment on August
25 21st, 2012; can you tell us about that, please?

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1 A Yes, that was a transfer from Titan to Phantom
2 International Investments for a restaurant venture of
3 Hemmingway's that Fernando Saiz -- that I was directed to
4 invest in.

5 **MS. HAMPTON:** Page 57, please.

6 Q September of 2012, can you tell us about the deposits
7 here, please?

8 A Yes, there's a deposit -- there's two deposits on
9 September 7th, one for 120,000 and one for 250,000, both of
10 them from Jofesa and Banco Mercantil in Mexico. And then
11 there's another for \$120,000 on September 20th from the same
12 account.

13 Q And on September the 10th, there is a payment regarding
14 what and how much was it for?

15 A September the 10th, there's a payment to Partners in
16 Building, which were the developers of the Elmhurst house, for
17 \$168,064. That time I noted it did go through Phantom
18 International Investments' account.

19 Q So you sent \$168,000 from Titan to Phantom.

20 A Correct.

21 Q And then from Phantom to Partners in Building.

22 A Correct.

23 Q Why?

24 A Because the title of the house was in Phantom
25 International Investments, so the money was going from the

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1 parent account to the subsidiary that was the titleholder of
2 the new home.

3 **MS. HAMPTON:** Page 60, please. Can you go up to the
4 date?

5 Q This is in October of 2012; is that correct?

6 A Yes, ma'am.

7 Q There are two deposits in this month; can you tell us
8 about those, please?

9 A Yes, the October --

10 Q Or three --

11 A -- 1st deposit is for \$297,620. That's from the Jofesa
12 Banco Mercantil Mexico account. Another 30,000 from Jofesa,
13 same account, on October 11th. And another \$301,459.30 for --
14 from the same account on October 22nd.

15 **MS. HAMPTON:** Page 66, please.

16 Q Date is December of 2012, correct?

17 A Yes, ma'am.

18 Q There's a deposit on December 19th from who?

19 A From Jofesa, same Mexican account, from Banco Mercantil
20 for \$30,000.

21 Q And there's a withdrawal on December 28th, 2012; can you
22 tell us about that, please?

23 A Yes, ma'am. That was a withdrawal that went from Titan
24 International to Phantom International Investments for the
25 closing of the house on Amhurst to this -- StarTex was the

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1 escrow company and that was for the closing of the home,
2 \$964,934.01.

3 Q The closing of which home?

4 A The Elmhurst house in Sugar Land.

5 Q And was this the final payment?

6 A I do not recall if -- it was the final payment I believe
7 for the home, but there were still payments due to Mr. Marichal
8 for the improvements to the home and the furniture.

9 Q But this December 28th was -- was this ultimately sent to
10 the builder or was it sent somewhere else?

11 A To the builder.

12 Q Okay.

13 A But I'm not certain it was the last payment. I believe it
14 is, but I'm not certain.

15 **MS. HAMPTON:** Page 69, please.

16 Q January, 2013.

17 A Yes.

18 Q Can you tell us about the deposits made this month?

19 A Yes. There was a deposit on January 7th of \$220,000 from
20 Jofesa's Mexico Banco Mercantil account. There was a payment
21 for the accounting firm of 21-54 (phonetic) on the 18th. And
22 then the deposit of 41,000 was part of the reimbursement of the
23 warehouse -- I mean to a warehouse acquisition which did not
24 materialize. That was part of the refund from that.

25 **MS. HAMPTON:** Page 73, please.

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1 Q This is February of 2013, correct?

2 A Yes.

3 Q What money is deposited this month?

4 A Fifteen thousand dollars is deposited from Jofesa's Banco
5 Mercantil account.

6 Q There's two transfers to Latour Law; can you tell us about
7 those, please?

8 A Yes, ma'am. I'm not certain about the dates, but at that
9 point, in February, because of the amount of time that I was
10 expending on the various matters, I had discussed with Fernando
11 Saiz and with Manuel Rodriguez regarding an increase in my
12 retainer. And I believe that the 25th represents an increase
13 in my retainer from the 15 to the 25,000 per month, based on
14 the time I was spending on the matter.

15 **MS. HAMPTON:** Page 77, please.

16 Q This was March of 2013, correct?

17 A Yes, ma'am.

18 Q Can you tell us about the March 25th withdrawal, please?

19 A Yes. That withdrawal of 224,923 was transferred from
20 Titan to Phantom International, and then from there to EMC Real
21 Estate, which is the real estate management company of
22 Mr. Enrique Marichal, for the first half of the furnishings of
23 the home in -- the Elmhurst home.

24 Q Here there's January 1st, \$25,000, and January 27th,
25 \$25,000; can you tell us about those?

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1 A I believe that the March 1st was my payment under
2 the new retainer amount for the month of March; and then I was
3 paid because the month was ending for April retainer on the
4 27th.

5 Q What is the March 27, 2013, withdrawal regarding
6 \$14,020.59?

7 A I do not recall specifically, but more than likely it was
8 money that needed to be refunded to Latour Law, to my law firm,
9 based on a reimbursement error most likely for paying the bills
10 for Mr. Marichal. But I am not certain.

11 **MS. HAMPTON:** Page 81, please.

12 Q This is April of 2013, correct?

13 A Correct.

14 Q Can you tell us about the withdrawal for \$3,420 on April
15 8th?

16 A Yes. That was -- the April 8th was the flood insurance
17 premium. That was the -- Tom Baker's the insurance company for
18 which flood insurance was paid for the new home under
19 construction.

20 Q For which home?

21 A For the Elmhurst home.

22 Q That's just the yearly flood insurance.

23 A Yes, I believe so.

24 Q And then the \$60,000 withdrawal on April 11th, 2013, what
25 is that?

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1 A Give me one second, please, let me just try to recall
2 here. There was at one point the discussion of Mr. Latorre
3 wanting to purchase his own warehouse for storage of vehicles.
4 And the warehouses that he has always had were leased. And he
5 discussed --

6 Q No, we're not talking about what anybody discussed, okay?

7 A Oh, yes.

8 Q So this was for a warehouse regarding Mr. Latorre.

9 A Latorre, it was a deposit intended to possibly purchase a
10 warehouse for Mr. Latorre's business.

11 **MS. HAMPTON:** Page 84, please.

12 Q This is May of 2013, correct?

13 A Yes.

14 Q Can you tell us about the credits in May of 2013, please?

15 A The credits, the \$60,000 was repayment to Titan for an
16 advance on some loan. I do not recall what that was for. The
17 514 was a deposit from Jofesa's bank in Mexico into the Titan
18 account for \$220,000. On the same day, another \$75,000 was
19 deposited into Titan. And then on May 21st, another deposit
20 from Jofesa to Titan of \$123,830.

21 Q On May the 6th, there's a debit of \$1,979.62; can you tell
22 us about that?

23 A Yes. There was an excess premium that came back from the
24 agency for the flood insurance, and that was the balance that
25 was due in excess of what I was originally invoiced.

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1 Q For which property?

2 A For the Elmhurst property.

3 Q And May the 6th, there's a debit of \$2,451.90; can you
4 tell us about that?

5 A Yes, that is the accounting firm's invoice, more than
6 likely for the tax return given that it was May, and so I
7 transferred it for Phantom International Investments to pay the
8 accounting company.

9 Q May 14th and May 15th, there's two debits of \$250,000; can
10 you tell us about those?

11 A Yes. Those were invoices provided by Enrique Marichal to
12 me for the interior and the audio installations at the Elmhurst
13 house, and those two payments were the first and the second of
14 three payments due to Mr. Marichal for those improvements to
15 the Elmhurst home.

16 Q And May 30th, there's a \$150,000 debit; can you tell us
17 about that?

18 A Yes. That appears -- there was a \$250,000 balance due to
19 Mr. Marichal for the interior at that point in time, and that
20 is a \$150,000 check that got transferred to Latour Law probably
21 because I needed to wire it, and that was the account I wired
22 from. But that was for Mr. Marichal.

23 Q This is May of 2013, correct?

24 A Yes.

25 **MS. HAMPTON:** Can we go to page 88, please?

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1 Q June of 2013.

2 A Yes.

3 Q Are there any deposits by Jofesa?

4 A No.

5 **MS. HAMPTON:** Can you go to page 121? Actually, go
6 back to July. Sorry, go back to July.

7 Q July of 2013, are there any deposits by Jofesa?

8 A No.

9 Q August, page 94, are there any deposits by Jofesa?

10 A No.

11 Q September, page 97, are there any deposits by Jofesa?

12 A No, ma'am.

13 Q October, --

14 A No, ma'am.

15 Q -- are there any deposits -- page 100, are there any
16 deposits by Jofesa?

17 A No.

18 Q November, page 103, are there any deposits by Jofesa?

19 A No.

20 Q December, page 106, are there any deposits by Jofesa?

21 A No.

22 Q January, 2014, page 109, are there any deposits by Jofesa?

23 A No.

24 Q February, 2014, page 112, are there any deposits by
25 Jofesa?

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1 A No.

2 Q March of 2014, page 115, are there any deposits by Jofesa?

3 A No.

4 Q April of 2014, page 118, are there any deposits by Jofesa?

5 A No.

6 Q Page 121, is there a deposit here?

7 A Yes, there is. This was the original investment in the
8 Hemmingway restaurant. Fernando Saiz was concerned about the
9 future because the partners in the business were having
10 problems, and they offered him a partial divestment and that's
11 what that \$100,000 is, to basically exit the investment.

12 Q It's transferred from what account?

13 A It was received -- let's see, yeah, it was received in
14 Titan from the -- I guess the check or the transfer from the --
15 from Hemmingway's restaurant, and then it was transferred back
16 to Phantom International Investments, which was the original
17 source of the investment.18 **MS. HAMPTON:** Page 144.19 Q There's a -- December, 2014, there's a withdrawal on this
20 day; can you tell us about it?21 A December 8th, let's see, I believe that what -- I'm sorry,
22 that was a transfer of \$200 because the account was -- the
23 Phantom International Technology account was low in funds and I
24 needed to put money in it just to have funds in the account.25 **MS. HAMPTON:** And can you go to the next page,

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1 please? Next page.

2 Q January, 2015, what was the account balance?

3 A The account balance at that point was \$140.23.

4 Q What happened to this account?

5 A It was closed at the end of August.

6 Q Of what year?

7 A Two thousand seventeen.

8 Q Was it used after January of 2015 for anything by you?

9 A Not to my recollection.

10 **MS. HAMPTON:** Can we go to Exhibit 13?

11 Q The signature card, page one, Mr. Latour, what is this
12 bank account?

13 A That is my law firm trust account that I opened at that
14 time.

15 Q What's a trust account?

16 A A trust account is an account that's monitored by the --
17 in my case the Florida bar, and it is to hold funds that are
18 client funds in trust.

19 Q Okay, what was the date that this was opened?

20 A April 18th, 2011.

21 Q Did you have a trust account before you met Mr. Jose
22 Manuel Saiz-Pineda or Fernando Saiz-Pineda?

23 A Yes, I did.

24 Q Why did you open a new account?

25 A I had transferred all of my checking over to Wachovia and

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1 then Wells Fargo. I had been with several banks before that
2 over the years.

3 Q And you opened this one about a month after Titan was
4 opened; is that correct?

5 A Yes, that's correct.

6 Q And is that your signature at the bottom?

7 A Yes, it is.

8 **MS. HAMPTON:** Can we get out of this document? Can
9 we go into deposits with offsets file?

10 Q Page one, do you know what this deposit was?

11 A Can I scroll down, please?

12 Q Yes, sir. Page two, this is the check from the deposit;
13 is that correct?

14 A I do not recall this deposit.

15 **MS. HAMPTON:** Go down to page three, please.

16 Q May 21st, 2013, --

17 **MS. HAMPTON:** Can you go down, please?

18 Q -- page four.

19 A Yes.

20 Q Is this the warehouse you were discussing?

21 A Yes. This is the check from the warehouse where they
22 agreed to give him a hundred thousand dollars back to Phantom
23 International Investments and I deposited it.

24 Q And you deposited this hundred thousand dollars into your
25 trust account.

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1 A Yes.

2 Q Okay.

3 **MS. HAMPTON:** Can you go down, please?

4 Q Page five, January 22nd, 2014, --

5 A Yes.

6 **MS. HAMPTON:** Go down to the check, please.

7 Q -- page six, what is this?

8 A That is a check from Fernando Latorre's company, Mbtech,
9 and I presume that is from the beginning of the vehicle sales.10 **MS. HAMPTON:** Next page, please.

11 Q Page seven, January 2nd, 2015, \$50,000.

12 **MS. HAMPTON:** Can we see the check, please?

13 Q Page eight, does this have anything to do with this?

14 A This was Hemmingway's warehouse, that was fees that were
15 due to me.16 **MS. HAMPTON:** Okay, can we get out of this file,
17 please? Can we go to statements?

18 Q Page one, --

19 **MS. HAMPTON:** Can you go down, please? Oh, sorry,
20 you're fine.21 Q Page one, there's a deposit. Can you tell us about that,
22 please?23 A Yes, it's a deposit from Jofesa in Mexico to my law firm
24 trust account on April 15th, 2011, for \$251,000.

25 Q And you said 2011, yes, okay, thank you.

1 **MS. HAMPTON:** And can you go down a little bit,
2 please?

3 Q There is a withdrawal the same -- well, three days later,
4 \$250,000; can you tell us about that?

5 A Yes. I transferred the funds to Phantom International
6 Technology, which was the account that invested in the
7 technology firms, and I -- that was the purpose of the wire
8 from Jofesa to go into that account.

9 Q So you opened your trust account with a \$251,000 wire from
10 Jofesa, that's what funded the account, correct?

11 A Yes, yes.

12 Q Okay, and then you moved everything except a thousand
13 dollars out of the account pretty quickly, right?

14 A Correct.

15 **MS. HAMPTON:** Can we go to page 36, please?

16 Q There is a deposit on April 26, 2012; can you tell us
17 about that?

18 A Yes. That -- I'm not sure if it is the only one, but that
19 is the first or perhaps the only deposit that I recalled seeing
20 the Sewick Limited name coming in. And I had been advised that
21 that was a Jofesa transfer, but it came in from --

22 Q What was the payment out for \$7,500?

23 A That payment was for attorney Neil Mooney who was the
24 Custom's attorney --

25 Q What asset was that payment regarding?

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1 A A vehicle that had been seized by U. S. Customs, a Pagani
2 vehicle.

3 Q The Pagani?

4 A Yes.

5 Q Okay, the one that you have the license plate in the
6 safety deposit box.

7 A Correct.

8 **MS. HAMPTON:** Okay, can we go to page 56?

9 Q Can you tell us about the deposits here, please, in
10 November of 2012?

11 A Let's see, the deposits were moved -- the first deposit
12 was relating to the purchase of the new property, and it was --
13 I do not know who the transfer went to but it was for the
14 Elmhurst house. The transfer from 11/26 was a payment, if I
15 understand my writing, "balance of transfer PH," those were
16 funds that I had and I was instructed to transfer them to
17 Mr. Marichal in connection with the Porsche penthouse, I
18 believe.

19 Q And after you deposit on the 26th of November \$450,000,
20 that same day there's a withdrawal or a debit; can you tell us
21 about that?

22 A That is correct. And Arnstein and Lehr is the law firm of
23 the developer for the Porsche building, and that was the money
24 that I sent.

25 Q Is that -- was that an escrow payment for the Porsche

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1 building?

2 A Yes.

3 **MS. HAMPTON:** Page 68, please.

4 Q March of 2013, there is a deposit on March the 4th; can
5 you tell us about that?

6 A Yes, that also, I recall that that was another payment
7 relating to the seizure of the Pagani vehicle. And the amount
8 that was transferred was the bond and the insurance and the
9 various costs associated with U. S. Customs detention of the
10 vehicle.

11 Q What country is Sewick supposed to be in, or is it in?

12 A I believe it's Singapore.

13 Q And then on March 18, 2013, there's another deposit; can
14 you tell us about that? Or does that have anything to do with
15 this?

16 A No, ma'am, it does not. It's another legal fee for me.

17 Q March 4th, there's a withdrawal of \$35,671.96; can you
18 tell us what that was for?

19 A Yes, that was reimbursing my law firm for the fees that I
20 had to pay for the vehicle transfer bond, the insurance of the
21 vehicle, and whatever other costs were associated with -- we
22 had ten days to remove the vehicle from the U. S. and that's
23 what that was.

24 **MS. HAMPTON:** Page 71, please.

25 Q There's a deposit on the 11th of April in 2013; what was

1 that for?

2 A This is 2013. I believe that the \$60,000 deposit -- let's
3 see here, transfer from Titan. I believe that that was funds
4 that were going to be lent to Mr. Fernando Latorre to purchase
5 a new warehouse.

6 Q And the same day \$60,000 is withdrawn, correct?

7 A Transferred, correct.

8 **MS. HAMPTON:** Can we go to page 74, please?

9 Q Can you tell us about the deposits in May of 2013, please?

10 A Yes, ma'am. It's a -- on May 2nd, there's a \$60,000
11 deposit from that same Sewick overseas Chinese whatever company
12 into the trust account, and that went out on the day after. I
13 am not certain, but I believe that this was when I had advanced
14 money to cover some of the expenses and that I was being repaid
15 or I was repaying, I do not recall. The next two items have
16 nothing to do with this. And the hundred thousand dollar
17 deposit, I do not recall -- let's see here. I do not recall
18 the source of that deposit, but it was transferred and that was
19 the money created for Inquisitec for year two of operations of
20 Inquisitec.

21 Q And that's shown on May 24th, 2013, correct?

22 A Correct.

23 **MS. HAMPTON:** Can we go to page 79?

24 Q Can you tell us about the deposits or credits in July of
25 2013?

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1 A Let's see, the one on July 9th of a hundred and seventy
2 thousand from Mbtech, and the one on July 26th, both of those
3 were deposits from Fernando Saiz of funds that he had from the
4 sale of the Manila vehicles, proceeds of which were to go for
5 the various items I've discussed. The other two from Zebeme
6 (phonetic) on the 22nd and the 30th, I'm unclear on the amounts
7 but I recall that they were associated with -- they were part
8 of these payments for the various Saiz family companies.

9 Q The hundred and seventy thousand dollars that is deposited
10 goes out of the account in six days, correct?

11 A Yes.

12 Q Why, what happened there; what was the \$170,000 withdrawal
13 for?

14 A The hundred and seventy thousand dollars I withdrew
15 because I had been waiting for information on how to account
16 for the proceeds of the vehicles. And I transferred it out
17 because I had not been able to receive any instructions from
18 Mr. Rodriguez in Mexico, and I essentially transferred it out
19 of there. I have no explanation as to why I did it, but I
20 moved it out because I did not know what to do. But --

21 Q Why does it say: "Chen wire?"

22 A I annotated that because I did not know how to explain the
23 money coming in from the vehicles, and I listed the name of a
24 client that had nothing to do with this from many years before
25 as a way of reminding myself of what it was. But that is --

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1 what is stated in my note is not what it was. It was the
2 transfer of the hundred and seventy which came in from
3 Mr. Latorre.

4 Q Then on the 22nd and the 26th of July, 2013, there's
5 65,000 and 40,000. On the July 26th, there's 65,000
6 withdrawal, and the 29th there's 40,000 withdrawal; what are
7 those withdrawals?

8 A It was the same thing. I was moving money out of the
9 trust account to make it available for what was coming, and I
10 annotated it. Those annotations are not accurate. I did not
11 know what to call the proceeds of the sales of the Manila
12 vehicles, but the money that I moved out was from the proceeds
13 that Mr. Latorre had deposited.

14 Q Okay, you didn't note anything about Manila on these
15 withdrawals.

16 A No, I did not.

17 Q Okay, the things -- the July 26th says: "Service fee
18 genting bemi (phonetic)." Does that have anything to do with
19 this?

20 A No, ma'am, they were phrases -- the issue that I had is I
21 understood that the proceeds were from Manilo (phonetic), but I
22 also knew that Mr. Orrleha (phonetic) had told me that these --

23 Q Okay, we're not talking about what anybody told you, okay?

24 A Sorry.

25 //

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1 **MS. HAMPTON:** I'm just going to move on. Let's go to
2 page 82.

3 Q This is August of 2013, correct?

4 A Yes.

5 Q What is this withdrawal for \$65,000 on August 2nd?

6 A I do not recall specifically but they were all associated
7 with the proceeds of the Minelo vehicles and I did not wish to
8 list them as such because I knew that the funds were going to
9 be used in various things apart from Minelo, and I had not
10 received instructions on how to qualify the payments.

11 Q It says: "Transfer to Asia Pacific Venture." What's
12 that?

13 A That was -- it was an entity that I assisted some Asian
14 clients with. But this was all -- the notes on all of these
15 withdrawals that you discussed on this slide and the prior
16 slide were inaccurate representations that I put there because
17 I did not want to specifically list Minelo because I knew the
18 money would not be spent on Minelo and I wasn't sure what to do
19 and that's what I did.

20 **MS. HAMPTON:** Page 85.

21 Q There's a deposit on September 24th, 2013; can you tell us
22 about that, please?

23 A I assume that that was proceeds from vehicle sales
24 received from Mr. Latorre. Yes, it was.

25 Q There's a hundred and eighty thousand dollar withdrawal or

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1 debit on September 24th; \$115,000 withdrawal or debit on
 2 September 24th; and a \$17,000 withdrawal or debit on September
 3 24, 2013; what are those?

4 A The hundred and eighty thousand dollars was in legal fees
 5 that I had not been paid for a given number of months based
 6 upon the fact that there were no funds and I was collecting
 7 those fees from Mr. Latorre's deposit based upon the fees due
 8 to me. The Inquisitec one was to provide more capitalization
 9 for Inquisitec. And the final one were the dues -- I'm sorry,
 10 the fees due to Neil Mooney, the attorney who dealt with the
 11 Customs, of the removal of the Pagani vehicle.

12 **MS. HAMPTON:** Page 91.

13 Q November, 2013, there is a withdrawal on November the 7th;
 14 can you tell us about that, please?

15 A Yes. Yes, those -- when the vehicle -- when the Pagani
 16 vehicle was repatriated to London and I was trying to effect
 17 the sale for it since it could not be in the U. S., and those
 18 were my instructions, it --

19 Q This is regarding the Pagani vehicle.

20 A The Pagani vehicle which had left the U. S. and at this
 21 point was in Europe.

22 **MS. HAMPTON:** Okay, page 100.

23 Q February of 2014, on February 3rd, 2014, there's a \$25,000
 24 withdrawal; can you tell us about that, please?

25 A Yes. That was a payment for my retainer for February of

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1 that year.

2 Q And next on the 3rd, \$42,000 withdrawal; can you tell us
3 about that?

4 A Those are repayments of funds that I had lent from my
5 resources to Inquisitec for Fernando Saiz.

6 Q March 3rd, there's a \$26,800 withdrawal or debit; what is
7 that regarding?

8 A That was the payment made to Excalibur Motor Cars, the UK
9 dealer which stored the vehicle and insured it while it was
10 there in the UK.

11 Q March -- sorry, February 3rd, 2014, there's a \$3,560
12 withdrawal; can you tell us about that, what was that for?

13 A Yes. That was the insurance premium for the two
14 Escalades, the two Cadillac Escalades that were owned by
15 Minelo.

16 Q Where were those Escalades?

17 A They were in Houston.

18 Q Who was in possession of the Escalades?

19 A I'm sorry, who --

20 Q Who was in possession of the Escalades?

21 A Fernando Saiz was in possession of one, and Silvia Saiz
22 was in possession of the other.

23 Q And February the 3rd, 2014, there's a \$12,000 withdrawal
24 or debit. Can you tell us what that was for?

25 A Yes, that was for an insurance payment associated with the

1 Elmhurst house.

2 Q Can we go to page 121? September of 2014. On
3 September 2, 2014, there's a withdrawal of \$360,000. What was
4 that for?

5 A At that point in time, because of the uncertainty of the
6 situation, I requested to Fernando Saiz Manuel Rodriguez that I
7 wanted my retainer, which had at some point been raised to
8 \$30,000 a month, I wanted to have the money a year in advance
9 set aside because I was concerned with the volatility of the
10 situation, and so those --

11 Q This was your retainer for a year?

12 A For a year.

13 Q Okay. On September 3rd, 2014, there's a \$12,500
14 withdrawal or debit. What was that regarding?

15 A There were various taxes due on the Sugar Land -- on the
16 Elmhurst home, and that was one of the payments made.

17 Q This was -- this account that we're in right now is your
18 trust account, the Latour Law trust, correct?

19 A Correct.

20 Q So on September 3rd, did you transfer \$12,500 to another
21 account for the payment, or did it come directly from this
22 account?

23 A No, it was transferred to Phantom International
24 Investments, which owned the Elmhurst house, and then from
25 there it was paid.

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1 Q September 5th, 2014, \$6,080, what was that?

2 A That was -- I believe it was Fernando Saiz' daughter's
3 orthodontics, and the money was transferred from the trust
4 account to Inquisitek and then paid from there.

5 Q September 8th, 2014, \$16,641.96, what was that regarding?

6 A There were maintenance fees on the properties due to
7 Enrique Marichal, so the money was transferred from the trust.
8 Actually, it would have gone to 23C and then to Mr. Marichal.

9 Q September 22nd, there's a withdrawal of \$20,936.70. What
10 was that regarding?

11 A Those were fees -- storage fees or work fees, that Manuel
12 Rodriguez advised me to pay Fernando Latorre.

13 Q Page 125, October 2014.

14 A Yes.

15 Q October 2nd, 2014, \$6,040 was to who?

16 A That was payment that was due to Lawrence Rushton, the
17 immigration attorney assisting Mrs. Saiz with her asylum
18 application, and I was asked to pay that fee by Manuel
19 Rodriguez, so I did.

20 Q October 14th, 2014, there's \$1,900. What was that for?

21 A They were -- those were tickets for the parents of
22 Fernando Saiz, who were traveling to Mexico and --

23 Q Those are payment for a ticket?

24 A Airplane tickets for Dr. Saiz' parents.

25 Q October 21st, 2014, \$26,665.66, what was that going to?

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1 A That was the monthly reimbursement for Mr. Marichal for
2 all of the costs associated with the four apartments, all of
3 the maintenance fees, monthly bills, and he would invoice me
4 every month, and then I would go to the accountants, and then
5 Mr. Rodriguez would authorize repayment.

6 Q I apologize, I skipped some pages. Can we go back to 103,
7 please?

8 March of 2014, there's two deposits on March 28th of
9 2014. Can you tell us about those, please?

10 A Those deposits would have been for Mr. Latorre associated
11 with the sale of the vehicles that were being liquidated.

12 Q And the -- can you tell us about the withdrawals on March
13 28th as well?

14 A Yes. The \$60,000 for the retainers that had not been paid
15 to me for March -- or maybe they were an advance, I'm sorry,
16 for March and April. And the \$120,000, that was an advance of
17 my retainer from Titan for those additional months.

18 Q Page 109, May of 2014, there's a -- there's two deposits
19 on May the 12th of 2014. Where are those from?

20 A They're from Fernando Latorre.

21 Q For the sale of vehicles?

22 A It was -- 2014. I believe that was from the sale of when
23 the Pagani factory purchased the -- when they purchased the
24 vehicle back, the Pagani.

25 Q Page 112, June of 2014, deposit on June 16th, what was

1 that regarding?

2 A That would have been more vehicle sales for Mr. Latorre,
3 the 6/16.

4 Q On the same day, June 16, 2014, there's a million dollars
5 wired out in two different transactions. Can you tell us about
6 that?

7 A Yes. At that point in time, I spoke with Fernando Saiz.

8 Q Okay, we're not talking about what people told you. What
9 was this regarding, where did it go?

10 A This was a transfer of funds into -- it was to reserve to
11 ED5. I apologize --

12 Q American Venture Solutions is what company? Did you
13 create --

14 A It's my company.

15 Q Okay, thank you. On June 26, 2014, there's a withdrawal
16 for \$2,644. Where was that going?

17 A June 26th, that was for the accounting services provided
18 by the accounting firm to the JEC trust filings.

19 Q Page 115, July of 2014. July the 3rd of 2014, there's a
20 withdrawal for \$7,717.37. What was that regarding?

21 A The 7,717 was payable to Excalibur, which was a storage
22 company that was storing the Pagani while everything was being
23 resolved, and I had paid it out of Latour Law. That was paying
24 back Latour Law.

25 Q July 30th of 2014, there's a \$3,735.94 withdrawal. What

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1 was that regarding?

2 A That was because Latour Law was where I paid the bills
3 directly and I was able to do so online, that was the insurance
4 for the two Escalades. I paid it to Latour Law and then I
5 reimbursed myself from these funds.

6 Q And the next day, July 31, 2014?

7 A That was the tuition for Trent school for one of the
8 children.

9 Q Page 118, August of 2014. On August 5th of 2014, there's
10 two withdrawals or debits. Can you tell us what those were
11 regarding?

12 A I'm sorry, what date?

13 Q August 5th, the first two.

14 A Okay. Okay, the first one for 104,883 was -- I used the
15 word "reimbursement," but effectively what I was doing is I was
16 transferring money from the trust to -- to Latour Law and then
17 transferring from Latour Law to Mr. Marichal's account. I
18 don't know whether that was for any of the work on the Elmhurst
19 house or for the -- for the property management fees.

20 Q And 32,549 on August 5, 2014, was for what?

21 A That was a tuition -- I'm not sure for which of the
22 children, but that was a tuition payment that I was instructed
23 to pay.

24 Q Okay, thank you. And the deposit on August 8, 2014, was
25 from where? What source?

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1 A From Mr. Latorre.

2 Q August 26, 2014, there's a \$10,000 withdrawal. What is
3 that regarding?

4 A That was payment of someone who had done some work for the
5 Elmhurst house.

6 Q And August 22nd, back up one, there's a withdrawal of
7 \$1,028.70. What was that regarding?

8 A That was -- that would have been me traveling to meet with
9 Fernando Saiz in Houston. My airfare.

10 Q Page 129, November of 2014, there's a transfer on November
11 24th of \$375,000. What was that regarding?

12 A Yes, that was a transfer made to Mr. Marichal from -- from
13 the trust account to Latour Law and thereupon transferred to
14 Mr. Marichal for the management fees and the annual tax
15 payments due on the real estate properties.

16 Q Okay. And the same day there's a \$10,000 withdrawal. Can
17 you tell us what that was regarding?

18 A I believe that I had miscalculated. There was some amount
19 of money that was due to Mr. Marichal in excess of what I had
20 been given, so that was another 10,000.

21 Q Regarding which property?

22 A Regarding the Elmhurst property.

23 Q Page 132, December of 2014, there's a withdrawal on
24 December 2nd for \$61,840. What was that regarding?

25 A Those were payments due to Fernando Latorre and MBtech.

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1 Q And December 15, 2014, you wired from American Venture
2 Solutions to your trust account \$1 million?

3 A Correct. It was the one million previously stated.

4 Q Okay, thank you. And then on December 16th, the next day,
5 you wired 300,000 to your trust account from where?

6 A Oh, my accountants had told me that I could not --

7 Q You can't talk about what people told you, sir.

8 A I'm --

9 **THE COURT:** If you'd just answer the questions, this
10 will go a lot quicker. Just listen to the question and answer
11 the question only.

12 A It was me moving my advance fees back to the trust account
13 because I couldn't have them in my checking account.

14 **BY MS. HAMPTON:**

15 Q On December 18, 2000 and -- I think we're on '14. Can we
16 go up. Are we in '14? Yes.

17 December 18th there is a \$500,000 withdrawal. Where
18 was that going?

19 A That was a loan that Fernando Saiz gave me for the
20 purchase of a home.

21 Q Page 135, there's a withdrawal on January 2nd, 2015, for
22 \$300,000. Where was that going?

23 **(Pause)**

24 A I do not recall that. The entry makes no sense.

25 Q On January 22nd, 2015, there's 11,000.

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1 A Wait, I'm sorry, may I correct? I apologize.

2 Q Do you know where the \$300,000 withdrawal was going?

3 A Yes.

4 Q Where was it going?

5 A Yes. It was the transfer back for Latour Law from the
6 trust to the operating account after the new year.

7 Q On Dec -- I'm sorry. January 22nd, 2015, there's a
8 withdrawal for \$11,588.36. What was that regarding?

9 A That was for the annual insurance of the Elmhurst house
10 payable to Tom Baker Insurance.

11 Q On January -- the same day, January 22nd, 2015, there's a
12 withdrawal for \$1,370. What was that regarding, what asset was
13 that regarding?

14 A That was regarding the Pagani, when I had to go to Italy
15 to resolve it.

16 Q Page 138, February of 2015. On February 4th, 2015,
17 there's a withdrawal of \$3,798. What was that regarding?

18 A That was the insurance payable for the two Escalades owned
19 by Minelo.

20 Q On February 17th, 2015, there's a withdrawal of \$2,144.27.
21 What asset was that regarding?

22 A That was regarding the Pagani vehicle in Europe.

23 **MS. HAMPTON:** Can we go to Exhibit 14.

24 Q Under statement account, statements accounts, what -- what
25 was the first -- what time frame was this account opened,

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1 according to this statement?

2 A In April 2011.

3 Q Okay. On April 26, 2011, what deposit opens this account?

4 A That would have been the check from Mr. Marichal, which I
5 erroneously previously stated as \$300,000. That would be the
6 accurate amount.

7 Q What is this check from, \$693,611.76?

8 A It was a check from the escrow company for the purchase of
9 the California apartment but it was a refund from the escrow
10 closing.

11 Q And what account -- who's the named owner of this account,
12 according to these records?

13 A The named owner of this account, it's the JEC Trust.

14 Q The account -- I'm sorry. On page one, the account name
15 is under what?

16 A Century 23B, I'm sorry.

17 Q And what property is this regarding?

18 A This is the Los Angeles condominium.

19 Q Does the \$693,000 have something to do with that property?

20 A Yes, it does.

21 Q What is it?

22 A When I took over the JEC administration, Mr. Marichal had
23 a check for this amount that was based on a refund of the
24 closing, of overpayment, and this check was deposited into the
25 account that I opened at Wachovia.

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1 **MS. HAMPTON:** Page 30, please.

2 Q January of 2012. There's a withdrawal on the 25th of
3 January 2012, and -- actually, two withdrawals on the 25th of
4 January. Can you tell us about those?

5 A Yes. Those are the renewal -- those were the renewal of
6 the corporate entities that were due at that time with the
7 state of -- I guess Delaware was the lower one and Florida was
8 the upper one. The 277 was Florida corporate renewals and the
9 second one was for the Delaware.

10 Q What property is Gladiator related to?

11 A Gladiator is the company that owns the Jade penthouse in
12 south Florida, but it was also what the transfer of the Porsche
13 building was changed to subsequently.

14 Q And Spartan is regarding which property?

15 A That's the other unit in the Jade building.

16 Q Why did you use Century 23B's bank account to pay for fees
17 associated with Gladiator and Spartan?

18 A My --

19 Q Without saying what anybody told you, why did you do this?

20 A Because the tax -- because they're all owned by the same
21 parent company, it did not matter that Century 23 was paying
22 for any of the other units because they had a common parent
23 company in the tax structure.

24 Q Which was what? The parent company was what?

25 A JEC Holdings.

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1 Q And then the second transfer on January 25th was to where?

2 A The second one was to the accounting firm.

3 **MS. HAMPTON:** Page 58, please.

4 Q November of 2012.

5 A Yes.

6 Q November 23rd and November 26th of 2012, can you tell us
7 about those withdrawals, please. What were they for?

8 A Those withdrawals were per the instructions of Manuel
9 Rodriguez, as clarified by Mr. Marichal, for -- well, hold on.

10 The -- I know that the second one was for the Porsche
11 property that was being purchased. I'm uncertain as to the
12 prior one, whether that was for the Porsche or for the Elmhurst
13 house, but I would assume it's for the Porsche, based on the
14 timing.

15 Q And Porsche is the Spartan company; is that right?

16 A Gladiator.

17 Q Gladiator. Does that have its own bank account?

18 A Yes.

19 Q And you used the Century 23B bank account for these -- for
20 the Porsche property?

21 A Yes.

22 **MS. HAMPTON:** Page 71.

23 Q March of 2013.

24 A Yes.

25 Q There's a withdrawal of \$14,020.59. What was that

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1 regarding?

2 A The one on the 25th were a series of taxes that were due
3 in California that were paid retroactively, as well as taxes
4 for the accounting firm. That's the 4,000. And then the
5 14,000 was a reimbursement of my travel to New Zealand and
6 various other travels when I had done, and that's going back to
7 Latour Law.

8 Q I thought -- did you testify that you went to New Zealand
9 in 2011?

10 A Yes.

11 Q And this reimbursement happened in March of 2013; is that
12 correct?

13 A Yes, it's -- yes.

14 Q Page 74, April of 2013.

15 A That was the flood insurance for the Elmhurst house paid
16 through Latour Law, and this is me transferring it.

17 Q And again, you paid the Elmhurst property with the Century
18 23B account?

19 A Yes, I did.

20 Q And Phantom has its own bank account, right?

21 A Yeah, let me see this a second here.

22 Can you scroll down a little, please.

23 Q Yes, sir.

24 A I'm sorry, up, not down.

25 Okay, so April 2013 -- and this is the account for --

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1 for 23B?

2 **MS. HAMPTON:** Can you go to page one?

3 A Yeah, okay. And scroll back down, please.

4 **MS. HAMPTON:** Seventy-four, there you go.

5 A Yes, I paid it out of the -- that should not have been the
6 account I paid it out of.

7 Q Page 80. June of 2013, what is this withdrawal for
8 \$20,000 for?

9 A June of 2013, that was for the -- this was money that I
10 transferred to Latour Law after the arrest of Jose Saiz in
11 order to seek counsel as to what I needed.

12 Q What day was Mr. Saiz -- Jose Manuel Saiz-Pineda arrested?

13 A I do not recall exactly, but it was in early June.

14 Q And you were with him?

15 A Yes, ma'am.

16 Q We'll get to that in a little bit.

17 **MS. HAMPTON:** Page 117.

18 Q June of 2014, there's a transfer on June 26 for \$2,644 --
19 or a deposit, excuse me. Can you tell us about that, please,
20 what that's for?

21 A Yes. That was for the accounting firm doing the taxes and
22 all the financials for JEC.

23 **MS. HAMPTON:** Can we go to Exhibit 15, please. Can
24 we go to the signature part, page one.

25 Q What account is this for, Mr. Latour?

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1 A That was for my operating account for my law firm when I
2 opened it with Wachovia.

3 Q And what date was it opened?

4 A August 13, 2012.

5 Q So the trust account we saw before was March of 2011,
6 correct? That you opened that?

7 A Yes.

8 Q And this one was opened in 2012 in August, correct?

9 A Yes.

10 **MS. HAMPTON:** Okay. Can we go to a different file,
11 please, on this exhibit, Exhibit 15, deposits with offsets,
12 page 30, please.

13 Q What is this page 30?

14 A This was my retainer for October of -- I can't quite read
15 the year there, but -- and \$190 in corporate in case I needed
16 to be reimbursed.

17 Q What address is -- where it says "Phantom and
18 International Technology," under that, what address is that?

19 A That is -- I have a different suite now, but that's my
20 office address.

21 **MS. HAMPTON:** Okay. Page 33, please.

22 Q What is this? What is this, sir?

23 A It says Phantom International Technology retainer payable
24 to me, to my law firm, I'm sorry.

25 **MS. HAMPTON:** Page 110.

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1 Q What is this?

2 A This was the \$100,000 when -- payable to Latour Law -- I'm
3 sorry -- payable to Phantom International Investments after
4 they got out of the Hemingway's Restaurant deal. That's the
5 check they wrote me that later got transferred that we saw
6 earlier.

7 Q You wrote in the memo what?

8 A I'm sorry?

9 Q What's written in the memo?

10 A Phantom divestment. Well...

11 **MS. HAMPTON:** Page 124.

12 Q What is this?

13 A Oh, that's -- that's unrelated to any of this.

14 **MS. HAMPTON:** Can we take it out of this please.

15 Q So how did you use this account in Exhibit 15 different
16 than the trust account? What were the differences between
17 these two accounts?

18 A I was not as organized as I should have been. And
19 theoretically, the trust account was where the moneys were
20 received, and then it should have gone to the specific account
21 for payment. Because I travelled internationally a lot, and
22 the only one that I have online wire and phone wire access is
23 through Latour Law, oftentimes if there was a payment due for,
24 say, Company B, I would pay it, either -- I would either take
25 the money from trust and pay it through Latour Law and then

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1 reimburse Latour Law from Company B, but it was a matter of
2 convenience of using Latour Law. I was not as organized and
3 segregated as it should be.

4 Q Is this account in Exhibit 15 more of an operating account
5 for you?

6 A Yes.

7 Q All right.

8 **MS. HAMPTON:** Can we go to the wire request on
9 Exhibit 15. Yes, thank you. Can you zoom in, please. Can we
10 go to 34.

11 Q This is a wire in the amount of how much?

12 A \$14,696.

13 Q And this is from your operating account?

14 A From my operating account.

15 Q The one we're in, correct?

16 A Correct.

17 Q To where?

18 A Oh, to Trent International Schools.

19 Q What's the date of this wire?

20 A The date of the wire is August 30th, 2013.

21 Q Number 46, Page 46.

22 **MR. REYNAL:** Your Honor, I'm going to object. I
23 think we already talked about these transfers in the context of
24 the bank statements themselves --

25 **THE COURT:** Did we already discuss these specific

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1 objections?

2 **MS. HAMPTON:** No, this is a different exhibit.

3 **THE COURT:** All right.

4 **MS. HAMPTON:** Different bank account.

5 **THE COURT:** Okay. Overruled.

6 **BY MS. HAMPTON:**

7 Q Page 46. What's the date of this wire?

8 A The date of this wire is January 31st, 2014.

9 Q And how much was the wire for?

10 A It's \$11,734.18 and it's payable to Tom Baker Insurance
11 for the insurance for the Elmhurst home.

12 Q Page 55. What is the date of this wire?

13 A The wire is dated April 10th, 2014.

14 Q What's the amount?

15 A The amount is 1,209 and it is also for the Trent
16 International School.

17 Q Page 55.

18 **MS. HAMPTON:** Page 55, please? I'm sorry, 58.

19 Q What is the date of this wire?

20 A This wire is dated July 31st, 2014, amount is \$10,891 and
21 it's also for Trent International School.

22 Q Page 59. What was the date of this wire?

23 A August 5th, 2014 and the amount is \$104,783.19 and it was
24 payable to Mr. -- well, to EMC Real Estate Group, which is
25 Mr. Marichal's real estate management company.

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1 Q Page 60. What is the date of this wire?

2 A The date of this wire is August 5th, 2014, amount is
3 32,549 payable to Trent International School and it says there
4 tuition for Darius Saiz-Perez (phonetic) and Tanya Saiz-Perez
5 (phonetic).

6 Q Page 61. What's the date of this wire?

7 A This wire is dated September 10th, 2014, amount is
8 16,641.96 from my law firm operating account to Mr. Marichal's
9 real estate company.

10 Q Page 63. What is the date of this wire and the amount?

11 A This wire is dated September 23rd, 2014, the amount is
12 \$20,040 and it went from my operating account to Mr. Latorre's
13 Bank of America account.

14 Q Page 65. What's the date of the wire and the amount?

15 A The date of the wire is 30 September of 2014, amount is
16 \$27,815.28 from my operating account to Mr. Marichal's EMC Real
17 Estate Group.

18 Q Page 66. What is the date of this wire and the amount?

19 A October 3rd, 2014, amount is \$6,000, paid to Attorney
20 Lawrence Rushton from my law firm account.

21 Q Page 67.

22 A This is a transfer dated October 21, 2014 from my law firm
23 operating account for the amount of \$26,635.66 payable to EMC
24 Real Estate, Mr. Marichal's company.

25 Q Page 69. What is the date of this wire transfer and the

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1 amount and who is it going to?

2 A The date is November 12, 2014, amount is \$986.58, and it
3 is payable to Karen Marshall, the New Zealand trustee.

4 Q Is this a fee associated with the trust?

5 A With their trust services.

6 Q Page 70. What is the date of this wire, what's the
7 amount, and who is it going to?

8 A The date is November 24th, 2014, the amount is \$365,000
9 even, it went from my operating account to Mr. Marichal's
10 company, EMC Real Estate Group.

11 Q Seventy-one. What is the date of this wire, the amount,
12 and who is it going to?

13 A December 2nd, 2014, \$61,800, and that went to
14 Mr. Latorre's MB Tech account Bank of America.

15 Q Page 73. What is the date of the wire, the amount, and
16 where is it going?

17 A January 14th, 2015, the amount of the wire is 43,215, it
18 went to EMC Real Estate, Mr. Marichal's company.

19 Q Page 74. What is the date of the wire, the amount, and
20 where is it going?

21 A January 20th, 2015, amount is \$10,108, from my operating
22 account to Mr. Marichal's EMC Real Estate.

23 Q And Page 75. What is the date of this wire and how much
24 is it for and where is it going?

25 A Date is 23rd January of 2015, amount is \$11,588.36 from my

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1 account to Tom Baker Insurance Agency, the insurance company
2 for the Elmhurst home.

3 Q And that's noted on this wire, is that correct, 615
4 Elmhurst?

5 A I'm sorry?

6 Q That's noted, the property address is noted on this Page
7 75.

8 A Yes, it is.

9 **MS. HAMPTON:** Can we get out of this document,
10 please? Go to SBX Research under Exhibit 15.

11 Q Page 1, what is this?

12 A This is the Wells Fargo log of entering every time we
13 access the safety deposit box. It's our secured engine of
14 2013.

15 Q When did you open the safe deposit box?

16 A June 18th, 2013.

17 Q What did you use this safe deposit box to hold?

18 A To store the vehicle documentation that you presented
19 earlier, as well as a number of watches and valuables that were
20 taken from the penthouse in Jade.

21 Q Who do those watches and valuables belong to?

22 A Jose Saiz.

23 Q Did you turn those over to the Government, the ones you
24 still had?

25 A Yes, I did.

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1 **MS. HAMPTON:** Let's go on to Exhibit 16. Signature
2 card, please.

3 Q What account is this?

4 A Phantom International Investments.

5 Q Is that your signature?

6 A Yes, it is.

7 Q As the manager?

8 A Yes.

9 Q What date was this account opened?

10 A Account was opened on June 2nd, 2011.

11 Q What is the purpose of this company?

12 A This was the company that was going to invest in other
13 investments other than the technology investments that Dr. Saiz
14 wished to pursue.

15 Q And what ended up being the purpose of this company, what
16 was it used for?

17 A The only transaction that it was used for was for the
18 purpose of 615 Elmhurst.

19 Q It's the titled owner of that property too, is that
20 correct?

21 A Correct.

22 Q And you filled out a signature card. Go to deposits and
23 offsets, and we're still on 16, Page 2. What is this? Do you
24 recognize this?

25 A I remember the name, but I don't recognize the -- no.

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1 Q Page 4. What is this?

2 A That is a check from the builder of the Elmhurst house. I
3 do recall the prior document.

4 Q Okay, we'll go back to that, but Page 4 is from the
5 builder of which house?

6 A 615 Elmhurst.

7 Q What's the date of this check?

8 A 7/19/2013.

9 Q Do you know what this \$25,000 was for?

10 A I do not recall.

11 Q Going back to Page 1. What is this check?

12 A I believe that this is the reimbursement for the warehouse
13 purchase that did not get realized.

14 **MS. HAMPTON:** Can we get out of this document and go
15 to checks, debits, at the top on Exhibit 15, Page 4.

16 Q What is this?

17 A That is a check payable to the builder of the Elmhurst
18 house.

19 Q And what's it dated?

20 A Dated 4/16/2012.

21 Q Whose signature is that?

22 A That's mine.

23 Q And what is the memo?

24 A I'm sorry? The memo, 20 percent of Lot 30 build.

25 Q Page 5. What is this?

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1 A That is a \$5,000 check reimbursing Mr. Marichal for
2 Houston deposit reimbursement, is what it says in the memo.
3 That's my signature.

4 Q And it's dated what?

5 A 4/16/12.

6 Q Page 6. What is this?

7 A That was the initial investment in the Hemingway's
8 Restaurant project dated August 21, 2012 for \$240,000.

9 Q Page 7. Another check to Hemingway's?

10 A Correct.

11 Q Page 8. Another check to Hemingway's, correct?

12 A Correct.

13 **MS. HAMPTON:** Can we go to the wire request account?

14 And go to, yes, 24. Can you zoom in, please? Page 2.

15 **THE WITNESS:** That is a wire -- I'm sorry.

16 **MS. HAMPTON:** Can we go to Page 2, please?

17 Q What's the date of this wire?

18 A September 14, 2012.

19 Q And what's the amount?

20 A \$144,427.

21 Q And again we're in the Phantom International Investments
22 account, correct?

23 A Correct.

24 Q Where is the money being wired to?

25 A The money is being wired to Partners in Building, the

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1 builder of the Elmhurst house.

2 Q Page 3. What's the date of this wire?

3 A December 31st, 2012.

4 Q What's the amount?

5 A The amount is \$964,934.01.

6 Q And it's again from Phantom to -- where is it going?

7 A It's sent to Startex Title Company, which was the closing
8 agent for the Elmhurst house.

9 Q Is this the final payment for the property?

10 A I believe it was.

11 Q Page 4. What's the date of this wire?

12 A March 26, 2013.

13 Q What's the amount?

14 A The amount is \$224,922.56.

15 Q And it's from Phantom to who?

16 A To EMC International LLC, and the memo says 50 percent
17 deposit on Houston home furnishings.

18 **MS. HAMPTON:** Can we go to statements, please, in
19 Exhibit 16.

20 Q Again we're on Page 1, Phantom International Investments,
21 correct?

22 A Correct.

23 Q And what date, according to the statement, what month and
24 year was it opened?

25 A It was opened in June of 2011.

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1 **MS. HAMPTON:** Can we go to Page 13, please?

2 Q September of 2011 there is a transfer -- excuse me,
3 there's two deposits into this account, correct?

4 A Correct.

5 Q What company were those deposits made from? Does it say?

6 A I don't recall. Oh, wait, hold on.

7 **(Pause)**

8 I don't recall what companies.

9 **MS. HAMPTON:** Can you move up, please, move up to
10 Page 12. Down, please.

11 Q September -- according to Page 12, in September the
12 balance in this account was what, at the beginning of
13 September?

14 A Just \$500.

15 Q And there was a deposit and a withdrawal?

16 A Of 195,500 and 195,530 out, correct.

17 Q Okay. And it left it with a little less than \$500,
18 correct?

19 A Correct.

20 Q Okay.

21 **MS. HAMPTON:** Page 23, please.

22 Q January of 2012, what is this?

23 A That was the transfer to Mr. Marichal for the Elmhurst
24 house, that was the \$5,000 reimbursement that we saw the check
25 earlier.

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1 Q Okay. Page 32. April 2012 there is a deposit. Can you
2 tell us what that's regarding?

3 A Yes, the deposit -- more than likely, this transferred
4 into this account for the purpose of paying \$5,000 to Marichal
5 for some -- I'm not sure if it's the same thing, and the rest
6 was for Partners in Building, the builders of the Elmhurst
7 home.

8 Oh, it must be that I needed to write it as a check
9 for some reason.

10 Q Page 42. This is a deposit of \$240,000, is that correct?

11 A Correct.

12 Q Regarding the restaurant?

13 A That was the restaurant, one of the restaurant investment
14 amounts.

15 Q And on the same day are checks written?

16 A Yes.

17 Q Page 45. What's the deposit on September 10th, 2012
18 regarding?

19 A That was money brought into this account to make the
20 payment of 168,000 that was due for Partners in Building and
21 they were paying two bills up here, the 23,637 and 144.

22 Q And those were payments for the Elmhurst house?

23 A For the Elmhurst home, correct.

24 **MS. HAMPTON:** Page 53, please.

25 Q December of 2012, that is the closing payment --

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1 A Yes.

2 Q -- that you sent the wire for, is that correct?

3 A Correct.

4 Q And where -- that money was brought in first from a
5 transfer, is that correct?6 A Transfer from business checking -- yes, it would have been
7 transferred from Titan to -- either from Titan to Phantom
8 International Investments or perhaps from Trust. I'm
9 uncertain.10 Q So that money came from Jofesa originally, is that
11 correct?

12 A Yes.

13 Q And then three days later the exact amount goes out to
14 Partners in Building, is that correct?

15 A Yes, ma'am.

16 Q Page 63. There's a deposit and then a withdrawal that are
17 pretty close in number to each other. What are those
18 regarding?19 A Yeah, this is more clear than the other ones. You can see
20 it says online transfer from the parent company, Titan
21 International, which had the money, into Phantom International
22 Investments to pay for the first half of the furniture fees to
23 Mr. Marichal's company. And so the initial -- the top thing is
24 the money coming in from Titan and then the third one is the
25 payment going out from Titan to Mr. Marichal's account.

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1 Q And does it say which furniture, which house that
2 furniture is for?

3 A Houston house, referring to the Elmhurst house.

4 Q Page 70. May of 2013 there is a deposit regarding -- from
5 Titan. Can you tell us about that?

6 A Yes. That was money I transferred from Titan to Phantom
7 International Investments because the accountants apparently
8 had a specific invoice for Phantom, so I wrote it from there.

9 Q Page 79. August of 2013, do you remember this deposit?

10 A No, ma'am.

11 Q Page 82. September of 2013, can you tell us about this
12 withdrawal?

13 A Yes. I transferred -- whatever that deposit, I don't
14 recall the source, but this got transferred to Latour Law and
15 then I did the transfer to Mr. Marichal for the Elmhurst house
16 for something relating to the Elmhurst house reimbursement.

17 Q Page 118. September of 2014 there's a deposit and then a
18 withdrawal. Can you tell us what those on September 3rd of
19 2014 were?

20 A Yes. The deposit came into the account to pay for a
21 supplemental tax. There's two sets of taxes on the Elmhurst
22 home and that was one of the two that needed to be done. I'm
23 not sure why it came from Latour Law versus Titan, but it went
24 into Phantom International and I paid from there as the owner
25 of the home.

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1 Q Now, Exhibit --

2 **MS. HAMPTON:** Let's go to Exhibit 19. The signature
3 card.

4 Q What bank account is this, Mr. Latour?

5 **MS. HAMPTON:** Let's go down, please.

6 Q Can you read it?

7 A Spartan Investment.

8 Q And you were the authorized signer, correct?

9 A Yes.

10 Q When was this opened?

11 **MS. HAMPTON:** Can you go back up, please?

12 **THE WITNESS:** I believe it was opened the same time
13 as the other ones -- well, no, 11/29/2011.

14 **MS. HAMPTON:** Okay, you can get out of that one. Oh,
15 I'm sorry, can you go back to the signature card?

16 Q It was opened, the account was opened November 29th, 2011,
17 right?

18 A Yes. Yes.

19 **MS. HAMPTON:** Can you go down, please.

20 Q Page 2 under business information, what day does it say
21 that Spartan Investment LLC was originally established?

22 A It says there December 1st, 2008.

23 **MS. HAMPTON:** Can we get out of this document and go
24 to statements.

25 Q And this is Spartan Investment's bank account, correct?

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1 A Correct.

2 Q What property is this relating to?

3 A I believe it's the New York property. No, I'm sorry, it's
4 the Jade, the small apartment in the Jade building.

5 Q The 2708?

6 A Yes, 2708.

7 Q So it's beginning in November of 2011, according to
8 Page 1, correct?

9 A Yes.

10 Q And what is the initial deposit?

11 A A hundred dollars.

12 Q Page 115.

13 **MS. HAMPTON:** 106, sorry, 106. Can you go up just a
14 little bit?

15 Q This is September of 2014, September through October, the
16 middle, correct?

17 A Yes.

18 Q Tell us about this deposit, what is it?

19 A It was because the balance had gotten too low, so I just
20 moved \$200 from the parent company to the account. That's it.

21 Q Page 115. This is -- I'm sorry, what's the date?

22 December 17th, 2014 to January 20th, 2015, is that correct?

23 A Correct.

24 Q And Page --

25 **MS. HAMPTON:** Move it up, please.

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1 Q 115, what does it say as far as the ending balance?

2 A \$298.

3 Q Was this account ever really used?

4 A It was -- it was not used, no.

5 **MS. HAMPTON:** Let's go to Exhibit 20 and go to
6 signature card.

7 Q Bottom of Page 1, which account is this?

8 A JEC Holdings, the Delaware parent company of the Trust.

9 Q This is the parent company?

10 A The one that owns the foreign entity, the -- yes.

11 Q Okay. What date was this bank account opened?

12 A Same -- November 29th, 2011.

13 **MS. HAMPTON:** Can we go to Page 2, please.

14 Q What date, according to the business information on
15 Page 2, was this company established?

16 A September 17th, 2008.

17 **MS. HAMPTON:** Can we go to statements, please.

18 Q November 2011 through December 6th, 2011, JEC Holdings,
19 correct?

20 A Yes.

21 Q Page 1, what deposit was this account opened with?

22 A One hundred dollars.

23 **MS. HAMPTON:** Can we go to Page 6. Go up -- I'm
24 sorry, go up to Page 5.

25 Q December to January 2012, what's the balance?

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1 A A hundred dollars.

2 Q Was this account ever used?

3 A I'm sorry?

4 Q Was this account ever used?

5 A I don't recall if it was in the future, but I don't
6 believe so.

7 **MS. HAMPTON:** Exhibit 21. Signature card.

8 Q What is (indisc.), so what company is this account related
9 to?

10 A Samurai International.

11 Q And which property is this regarding?

12 A I believe it's in New York.

13 Q And what's the date of the opening of this account?

14 A The date is 11/29/2011.

15 **MS. HAMPTON:** Can we go down to Page 2, please.

16 Q Under business information, when was Samurai International
17 LLC established?

18 A November 19th, 2008.

19 **MS. HAMPTON:** Can we go to statements, please.

20 Q November 2011, Samurai International, correct?

21 A Correct.

22 **MS. HAMPTON:** Can you go down, please.

23 Q Third line, what was this opened with?

24 A A hundred dollars.

25 **MS. HAMPTON:** Can we go to 116.

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1 Q (Indisc.), so December 24th, 2014 to January 27th, 2015,
2 again Samurai International. All right, what's the balance?

3 A \$288.

4 Q Was this account ever used?

5 A No.

6 **MS. HAMPTON:** Go to Exhibit 22. Signature card.

7 Let's go down to the bottom of Page 1.

8 Q What account -- what company is this account for?

9 A Minelo Acquisitions.

10 Q And the date that it was opened is what?

11 A November 29th, 2011.

12 Q Page 2. When was Minelo Acquisitions established,
13 according to Page 2, business information?

14 A July 28th, 2009.

15 Q And Minelo was used for what, what was this company's
16 purchase -- I mean assets?

17 A Minelo owned the vehicles that were U.S. purchased.

18 **MS. HAMPTON:** Can we go to statements.

19 Q November 29th, 2011, Minelo Acquisitions, correct?

20 A Correct.

21 Q And what was the opening deposit?

22 A One hundred dollars.

23 **MS. HAMPTON:** Can we go to the last page, 8 or 9,
24 please. Page 8.

25 Q January 2012 to February 2012, Page 8, what was the

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1 balance?

2 A Well, the closing balance was zero at that point.

3 Q Was this account ever used?

4 A No. Not to my memory.

5 **THE COURT:** Let's stop right there. Let's go ahead
6 and recess for lunch. We'll return at 1:15. Please don't
7 discuss the case with anyone, not even with each other, and
8 don't attempt to get information outside the courtroom.

9 Thank you.

10 **THE MARSHAL:** All rise for the jury.

11 (**Jurors exit courtroom at 11:58 a.m.**)

12 **THE COURT:** All right, sir, you can step down. The
13 jury will return at 1:15, we'll continue your testimony.

14 Anything from the Government?

15 **MR. MUSCHENHEIM:** No, your Honor.

16 **THE COURT:** From the Defense?

17 **MR. REYNAL:** No, your Honor.

18 **THE COURT:** Okay.

19 (**Lunch recess from 11:59 a.m. to 1:14 p.m.; parties**
20 **present**)

21 (**MORNING SESSION CONCLUDED AT 11:59 A.M.**)

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CERTIFICATION

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter.



October 11, 2017

signed

Dated

TONI HUDSON, TRANSCRIBER